

Regular Meeting of January 15, 2020

5:30 PM

CALL TO ORDER: Mayor Ashworth called the regular meeting of the City Council to order at 5:30 PM having previously been noticed in accordance with Colorado Open Meetings law.

INVOCATION: A brief invocation was provided by citizen Joe Ruffatti

PLEDGE OF ALLEGIANCE: Mayor Ashworth led the Pledge of Allegiance.

ROLL CALL: City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth and Councilmembers Tom Litherland, Meghan Rozell, Charles Solomone and Melissa Trenary. Staff present were City Administrator Mark Campbell, City Clerk Janell Sciacca, City Attorney Erin Smith, Finance Director Paul Harris, Chief Mike Rulo, Sgt Bright, HR & Risk Management Director Carol Stotts, Marketing & Events Director Jeff Mosher, Public Works Director Steve DiCamillo, Parks & Recreation Director Connie Dodrill and Planning & Community Development Director Bill Gray.

APPROVAL OF MEETING MINUTES: Councilman Litherland motioned and Councilwoman Trenary seconded to approve the minutes of the December 18, 2019 Regular Meeting as presented. Motion carried unanimously.

PUBLIC COMMENT: Joe Ruffatti, 206 Silver Street, thanked EMS and Fire paramedics for services rendered when he fell and broke his nose and lip on the sidewalk. Was very impressed and has heard many positive comments on the services provided. He was concerned that there was no light or other indicator when the doorbell was rung that let him know a First Responder was coming and felt a light might be installed to acknowledge help was on the way to a person in need. He stated he would like to donate a few dollars.

REPORTS:

CITY ADMINISTRATOR: City Administrator Campbell reported the City received \$75,000 agreement from DOLA for the Wildland Fire Truck and the vehicle was ordered, Mosher will be presenting the 2020 Events Calendar this evening, and the Butte Theater had a successful and positive preview meeting last weekend. All else is at it appears in the written report.

FINANCE DIRECTOR'S REPORT: Finance Director Harris reported the City successfully completed its interim audit last week. He also reported the 1st Quarter Device count is in and down 5 devices from the 4th Quarter tying the record low in 1st Quarter 2018. All 75 devices added when Christmas Casino opened have been lost by removals from different casinos. Campbell recognized HR & Risk Management Director Stotts who in turn recognized Dispatcher Jesse Avery for 15 years of service to the City. Councilwoman Rozell lauded Avery for her exemplary service.

PRESENTATIONS, UPDATES AND OTHER REPORTS:

CRIPPLE CREEK -VICTOR SCHOOL DISTRICT SUPERINTENDENT'S REPORT: Dr. Richey stated that he was asked to provide a quarterly report to the City Council and will in turn look forward to the City Administrator appearing at School Board meetings to do the same. Richey reviewed the written report in the packet. Councilman Litherland inquired if teachers found it difficult to locate housing. Richey replied yes, it is difficult but eventually they have found a place to live. The Council thanked Richey for his presentation.

TWO MILE HIGH CLUB UPDATE, 2020 DONKEY DERBY DAYS DISCUSSION AND PROJECT SUPPORT REQUEST: Ellen Moore, Secretary, directed Council to the letter in the packet. She read a prepared statement relative to the many difficulties in finding volunteers, raising money for and caring for the animals. A request was made for volunteers. Councilwoman Trenary stated both her and Councilman Litherland were well aware of the responsibilities as former volunteers and commended the group for carrying on and caring for the herd. Councilwoman Rozell wished she had more time to dedicate and volunteered to sit in on meetings to help with volunteer coordination and events. Administrator Campbell stated he would be able to help on a limited basis during the week and more so on weekends.

PUBLIC WORKS DEPARTMENT UPDATE: DiCamillo directed the Council to an updated handout he distributed prior to the meeting. He reviewed the Chip-Seal 2020 project information and Councilwoman Rozell inquired if he would make the associated map available online for public information. Councilman Litherland inquired if the company from Grand Junction would be invited to bid this year. DiCamillo replied yes, but the City's projects often run up against other big jobs they do. The ad will be posted in 2 newspapers and online at Bid Net. DiCamillo also reported on the Bennett Avenue water line replacement project and upcoming maintenance projects as well as Trash Days and Litherland asked that the Trash Days flyers be posted at the Post Office to help get the word out better. DiCamillo also reported the Public Works applied for a \$750,000 Central Front Range Transportation Planning Region Grant and would hear by March 23. City Clerk Sciacca added that during the cleanup days this year the City was also going to plan to add shredding services as an added benefit for the citizens.

LEGISLATIVE REPORT: Sol Malick and his associate from Peak Governmental Affairs, LTD reviewed the current House makeup. Malick stated that because it is an Election year things will be more more interesting. The Session started last Wednesday, and 240 Bills were introduced in the first week. They are distilling to see what impacts the City and will overreport on topics. Committees are changing but the House still very liberal and while the Senate is more moderate. A lot of bills are expected on education reform, mental health, oil and gas, energy and recycling. Councilman Litherland inquired about gaming bills and Malick said there were none currently and he felt this was because everyone was still trying to figure out Sports Betting. Malick advised he was scheduling meetings for the City Council with Representatives and Senators when the group attended the February 13 Legislative Workshop in Denver. Malick ended stating it will be another active year.

NEW BUSINESS:

ELECTION OF MAYOR PRO TEM PER CRIPPLE CREEK MUNICIPAL CODE SECTION 2-2-30: City Attorney Smith read Section 2-2-30 of the code regarding election of the Mayor Pro Tem. Mayor Ashworth opened the floor to nominations. **MOTION** by Councilwoman Trenary and seconded by Councilwoman Rozell to nominate Tom Litherland as Mayor Pro Tem. Motion passed unanimously.

CONSIDER APPROVAL OF 2020 EVENTS SCHEDULE: Marketing & Events Director Mosher thanked the Council for attending the Advisory Committee meeting on Monday. He directed everyone to the schedule in the packet. The one distributed tonight is at the printer waiting tonight's approval. Mosher reported that the Triple Crown Casinos wants to do a smaller version of fireworks on the Friday after July 4th. He will be approaching other entities to inquire if they would be interested in seeing if they can get price breaks if purchasing packages of fireworks all at once. Triple Crown will pay for entire Friday show and bands which will play on both dates. There is not cost to the City. Mayor Ashworth inquired if Staff supported this request. Mosher felt it could be a good opportunity to see more people stay in town. Mosher then noted the Butte Theater events will be on a separate calendar and this year's calendar has more community events such as the Trash Days. He reviewed several other changes for the Council and viewing public's benefits. City Attorney Smith clarified a motion relative to the added fireworks display. **MOTION** by Councilwoman Rozell and seconded by Councilwoman Trenary to approve a Friday, July 3, fireworks display in addition to the Saturday, July 4th fireworks paid by the Triple Crown Casinos. Motion carried unanimously. **MOTION** by Councilwoman Rozell and seconded by Councilman Litherland to approve the 2020 City of Cripple Creek Events calendar as presented. Motion carried unanimously. Mosher thanked the Council and stated visitor surveys will be conducted this year starting at the Ice Festival and will provide demographics for future marketing.

CONSIDER APPROVAL OF RESOLUTION 2020-01 ESTABLISHING THE DESIGNATED PUBLIC PLACES FOR THE POSTING OF CITY MEETING NOTICES AS REQUIRED BY THE COLORADO OPEN MEETINGS LAW: City Clerk Sciacca presented reminding that this is done annually at the first regular meeting every year. The posting places remain the same – City Hall, the Post Office and the City website. She recommended approval as presented. **MOTION** by Councilwoman Trenary and seconded by Mayor Ashworth to approve Resolution 2020-01 as presented. Motion carried unanimously.

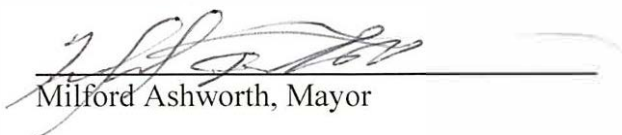
PUBLIC HEARINGS:

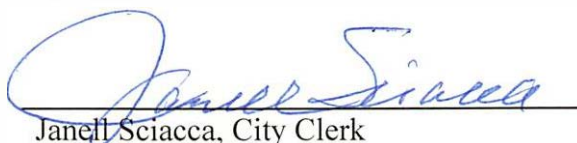
REQUEST TO CONTINUE TO FEBRUARY 5, 2020 - CONSIDER APPLICATION FOR FRONT SETBACK VARIANCE TO ALLOW A ZERO (0') FOOT SETBACK FOR PROPERTY DESCRIBED AS LOT 26, BLOCK 33, HAYDEN PLACER AND LOCATED IN R-2 – LIMITED RESIDENTIAL ZONE: Planning and Community Development Director Gray reported the request was being continued in order for the associated drawing for a completed land survey plat to be done by the surveyor. The drawing is in Staff's hands and Staff recommends opening the Public Hearing and continuing it to February 5. Ashworth opened the public hearing and City Attorney Smith provided the motion. **MOTION** by Councilwoman Rozell and seconded by Councilman Litherland to continue to February 5, 2020 the Public Hearing. Motion carried unanimously.

ADJOURNMENT: There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 7:00 PM.

APPROVED:

ATTEST:


Milford Ashworth, Mayor


Janell Sciacca, City Clerk



WEDNESDAY, JANUARY 22, 2020
SPECIAL CITY COUNCIL MEETING MINUTES

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 6:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Community of Caring Board Chair Mary Bielz provided the invocation and Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – Present were Mayor Milford Ashworth and Councilmembers Tom Litherland, Meghan Rozell, Charles Solomone and Melissa Trenary. Staff present were City Administrator Mark Campbell, City Attorney Erin Smith and Finance Director Paul Harris.
4. **NEW BUSINESS**
 - A. **DISCUSSION REGARDING THE POSSIBILITY OF THE CITY OF CRIPPLE CREEK APPLYING FOR A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) THROUGH THE COLORADO DEPARTMENT OF LOCAL AFFAIRS FOR UP TO \$600,000. THE GRANT WOULD BE COMPLETED ON BEHALF OF THE COMMUNITY OF CARING AND WOULD BE USED FOR REHABILITATION OF THE MADAM JUNE BUILDING LOCATED AT THE SOUTHWEST CORNER OF BENNETT AVENUE AND FIRST STREET; PAUL HARRIS, FINANCE DIRECTOR.** Harris provided a brief introduction and turned the floor over to Community of Caring to provide an impetus of what is trying to be achieved. Chairman of the Board Mary Bielz and Executive Director Ted Borden presented. Bielz introduced fellow Board members Rich Engel and Reed Grainger and thanked the City Council for their benevolence on behalf of Community of Caring. She also thanked Administrator Campbell and Finance Director Harris for their help. Bielz stated the request is for sponsorship because the Aspen Mine Center has been outgrown. She reviewed stats for one quarter to demonstrate the position and stated it is why 100 W. Bennett was. Borden then presented reviewing pertinent points regarding grant eligibility. He stated the required public notice was submitted to the newspaper for the February 5, 2020 Public Hearing. Borden added the facility being acquired needed to be owned by the City for 5 years or leased to the City. Campbell advised that the City obtained agreement templates from DOLA for previous grant awards similar to this one. Smith clarified that the City does not need to lease or own the building and all that is required is a right to lien or promissory note. Borden clarified it must be used for 5 years as proposed in the grant application. Litherland inquired what the purchase price was and Borden replied \$450,000. Litherland inquired what the remodeling costs were projected at and Borden replied right around \$400,000. Litherland inquired where the purchase price funds were obtained. Bielz reported \$60,000 was raised from private donors with \$50,000 being used as down payment. \$10,000 additional monies were acquired and they were also applying for a \$30,000 capital acquisition grant from the Myron Stratton foundation and another \$100,000 acquisition grant from El Pomar. If additional monies are not received, the payment is budgeted within the Community of Caring monies. They would like to pay off the note in 5 years. Bielz stated the Thrift Shop is doing amazing with revenue increasing 20% since moving across Bennett into the Bronco Billy's space. Grainger added that Park State Bank provided very favorable and gracious lending conditions due to the community type project. Litherland inquired how many lots were included to the west and Bielz replied 10. Borden reported architects were contacted and as the process moves forward renovations will be put out to bid. Borden reviewed some additional specifics and possible deadlines and stated Community of Caring did not want this to be any kind of a difficulty for the City and they would be looking to hire an Administrator for the grant. Deb Downs, former City Victor Administrator and former DOLA employee, was recommended. Borden reviewed proposed logistical changes and Bielz reviewed some of the associated economic development related benefits. Bielz reminded the Council that Community of Caring has a long history as being a change agent and problem solver and it wants to help build a robust and vital community. Ashworth stated he was glad to see Community of Caring moving into the building and felt the additional traffic would help liven up the area. Litherland inquired if the City had any liability. Smith replied that she did not believe the City had any liability in serving as a sponsor and the experts who administer these add protection. Harris added if the building were in the City's name then there would be liability for such things as slips, trips and falls. However, these liabilities would be eliminated in the proposed structure of the agreement. Harris pointed out that the City would have to do a supplemental budget if the grant was awarded and this would be set up like a City Department so the revenues and expenses could be easily tracked. The City will be cash flowing the project out of the General Fund with reimbursements coming back from the Administrator. He also stated a concern that the grant could push the City over the \$750,000 federal grant level threshold which would then require an A133 Single Audit at a cost of \$3000-\$5,000. He also noted Community of Caring is covering the publication and legal expenses. Rozell inquired how many years until project completion. Harris replied Borden indicated it could go 2 years. There being no further discussion, Ashworth thanked Community of Caring for its presentation and stated this would appear on the February 5, 2020 Regular City Council meeting agenda for formal action.
5. **ADJOURNMENT.** Mayor Ashworth adjourned the meeting at 7:10 PM.

APPROVED:

ATTEST:


 Milford Ashworth, Mayor


 Janel Scacca, City Clerk



WEDNESDAY, FEBRUARY 5, 2020 REGULAR CITY COUNCIL MEETING MINUTES

Location: Council Chambers, City Hall
337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 5:32 PM having previously been posted in accordance with Colorado Open Records Law.
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth and Councilmembers Tom Litherland, Meghan Rozell, Charles Solomone and Melissa Trenary. Staff present were City Clerk Janell Sciacca, City Attorney Erin Smith, Finance Director Paul Harris, HR / Risk Management Director Carol Stotts, HR / Risk Management Technician Heather Hildebrand, Public Works Director Steve DiCamillo, Fire Chief Dean O’Nale, Sgt. Charles Bright, Dispatch Supervisor Diann Pritchard and Sgt. Rob Kible.
4. **APPROVAL OF MINUTES**
 - A. January 15, 2020 Regular Meeting – **MOTION** by Councilwoman Trenary and seconded by Councilman Litherland to approve the minutes of the January 15, 2020 meeting as presented. Motion carried unanimously.
5. **PUBLIC COMMENT** – None.
6. **REPORTS**
 - A. City Administrator – Mayor Ashworth reported Administrator Campbell was at a conference.
 - B. Finance Director – Finance Director Harris advised he had several items on the agenda.
7. **PRESENTATIONS, UPDATES AND OTHER REPORTS**
 - A. Police Department & Communications Updates; Charles Bright, Sergeant and Diann Pritchard, Dispatch Supervisor. Bright reviewed a handout of Police Department stats, projects, staffing, major crimes, Officer achievements, and grants and Pritchard reviewed same for Dispatch as well as IT issues and 911 Authority highlights. Councilman Litherland inquired if there would be another pet vaccination clinic in 2020 and Bright replied No, due to costs and low turnout last year. Councilwoman Trenary inquired about improvements on routing of 911 calls made from cell phones and Pritchard advised the situation still existed but was getting addressed and improvements being made.
 - B. Presentation regarding CENSUS 2020; Bill Gray, Planning & Community Development Director. Gray reviewed the packet PowerPoint presentation. He will be working with Marketing & Events Director Mosher to promote on the local Country radio station. Gray encouraged citizens to contact the Police if there were any issues with CENSUS takers and added all legitimate CENSUS staff carry ID badges. Councilwoman Trenary inquired how the surveys would be delivered. Gray believed PO boxes was the main method as well as door-to-door.
 - C. Update on Pikes Peak Area Council of Governments Bylaws Amendment allowing appointment of Local Administrative Official as Designated Representative and recommendation to appoint Bill Gray as the City of Cripple Designated Representative; Bill Gray, Planning & Community Development Director. Gray reviewed the Staff Report in the packet advising this change was made by PPACG to encourage participation from the smaller and rural communities. The City’s current representative is Mayor Ashworth. City Attorney Smith formulated the motion. **MOTION** by Councilwoman Trenary and seconded by Councilman Litherland to appoint William Gray as the Administrative Official to the Peak Area Council of Governments and to bring back a resolution memorializing that at a subsequent meeting. Motion carried unanimously.
8. **PUBLIC HEARINGS**

- A. **CONTINUED FROM JANUARY 15, 2020** – Consider application from John Robert Gatlin for Front Setback Variance to allow a Zero (0') foot setback for property described as Lot 26, Block 33, Hayden Placer and located in an R-2 – Limited Residential Zone; Bill Gray, Planning & Community Development Director. Gray presented the Staff Report reviewing the pertinent details of the subject request. Staff's review of the request finds the house is a benefit, fits the site and has compatible architecture. It is a good example of the City's new narrow lot ordinance and the proposal will not burden infrastructure nor is it a determinant and it compliments historic character. The request is in compliance with criteria and Staff was recommending approval. Applicant John Robert Gatlin stated he and Janet Edwards were excited and the home will benefit the community, the City and themselves. He felt the Staff Report addressed any concerns expressed except alley which is not usable by anyone. Mayor Ashworth opened the floor to public comment. Curt Sorenson, 16 Hayden, referred the City Council to his email in the packet and reviewed it while expanding on some points. He displayed a historic plat map and stated the structures showing on the old map were all set back. He asked that Council deny the application. Applicant Gatlin responded stating the Staff Report addressed every concern raised by Sorenson. Councilwoman Rozell inquired about parking. Gatlin replied the home will have a two-car garage with a 21-foot driveway, so he did not anticipate cars being out in front of the house on the roadway. Councilman Litherland inquired about the width of street. Public Works Director DiCamillo reported the pavement width is 24 feet with a 60-foot right of way. Litherland inquired how much space would be taken up by curb, gutter and sidewalk. DiCamillo felt about 6 ft total. Litherland also inquired if snow would be plowed into driveway and DiCamillo indicated no more than anyone else. It is not an issue for the City. DiCamillo agreed the alley was not possible at all. There being no other citizens present to address the matter, Mayor Ashworth closed the floor to public comment and closed the public hearing. City Attorney Smith directed Council to the Staff Report, page 2, where Gray included the criteria the Council needed to take into consideration. She added the Staff Report contains evidence addressing the criteria, Council also heard evidence and asked clarifying question. She then suggested the discussions for Council start with the sections on page 2. Mayor Ashworth inquired if there were any comments from Councilmembers. Councilwoman Rozell felt the application did meet the requirements for a variance and she felt comfortable moving forward. Councilman Litherland felt that if the City was going to encourage housing in the community this type of development needed to be promoted. He also felt there would be parking problems with the Church across the street but he admired him for selecting the site. Councilman Solomone felt that Staff's presentation supported the fact the applicant made best efforts to meet local requirements for the community. Councilwoman Trenary felt it was a great example on how to use topography in that part of town and might encourage others to build similar homes. Mayor Ashworth felt it might inspire others and he would go along with Staff's recommendation that the parking would not interfere with maintenance. He also felt DiCamillo addressed the fact it would not overburden infrastructure and the proposed building and site design were compatible to historicalness and design of the area. Councilwoman Rozell agreed with that sentiment. Mayor Ashworth felt the remainder of the criteria were very well addressed. City Attorney Smith formulated the motion. **MOTION** by Mayor Ashworth and seconded by Councilwoman Rozell to grant the variance and approve the 0 foot from setback for Lot 26, Block 33, Hayden Place and direct Staff and the City Attorney to bring back a resolution memorializing that at a subsequent meeting. Motion carried unanimously.
- B. Consider approval of the City of Cripple Creek's proposed Community Development Block Grant application to the Colorado Department of Local Affairs for up to \$600,000 to fund a grant to the Community of Caring to renovate the Madame June Building located at the Southwest corner of Bennett Avenue and First Street; Paul Harris, Finance Director. Harris reported the Council did have a Special Meeting on January 22, 2020 regarding this matter. The City would be applying through DOLA for the beneficiary, Community of Caring. Councilwoman Rozell inquired if there were any changes since that meeting. Harris replied No but the materials had been input into the DOLA application system and would be submitted next week as a first version. City Attorney Smith clarified tonight the Council would only be approving the submission of the application and the form of the application. Councilman Litherland inquired if this started at 500,000 and Harris replied up to 600,000 but hoped to come in closer to the \$400,000 range. Ashworth opened the floor to public comment. Ted Borden, Community of Caring Executive Director, provided a brief summary and overview of the purpose of the grant which will allow them to provide more programs and resources for the community. The City will be the sponsoring entity and while the current amount listed is \$400,000 but an elevator and is still in question. There will be more hard numbers next week and the grant is due February 18. There was no other public comment and

Ashworth closed floor to public comment. Councilwoman Rozell inquired about the future process if this does get approved. Smith replied the City would be approving two agreements – one with the City and DOLA and with DOLA as the grantee and another between the City of Cripple Creek and Community of Caring as the subgrantee. These will come to the Council if the grant is awarded. City Attorney Smith stated the motion. **MOTION** by Councilwoman Rozell and seconded by Councilman Litherland to approve the City of Cripple Creek's proposed Community Development Block Grant application to the Colorado Department of Local Affairs in an amount up to 600,000 to fund a grant to the Community of Caring to renovate the Madame June building located at the Southwest corner of Bennett Avenue and First Street. Motion carried unanimously.

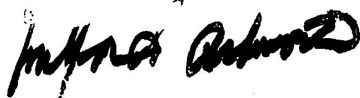
9. **NEW BUSINESS**

- A. Consider Approval of the proposed form of the City of Cripple Creek's Community Development Block Grant Application to the Colorado Department of Local Affairs for up to \$600,000 to fund a grant to the Community of Caring to renovate the Madame June Building located at the Southwest corner of Bennett Avenue and First Street substantially in the form presented; Paul Harris, Finance Director. City Attorney Smith clarified this item was covered by virtue of the approval of 8B. Harris clarified the City's commitments is cash flowing the project and will be responsible for the financial obligation and will be setting up a separate revenue and expense center in the budget for separate delineation from City functions.
- C. Consider approval of Engagement Agreement with Peak Government Affairs, LTD for services to promote Cripple Creek's Mission, Paul Harris, Finance Director. Harris presented stating this is the annual contract with the City's lobbyist and the only changes are the dates. Councilwoman Rozell requested removal of personal names and insertion of titles only as well as changing City Manager to City Administrator. City Attorney Smith agreed with the minor, non-substantive changes. **MOTION** by Councilwoman Trenary and seconded by Councilwoman Litherland to approve the engagement agreement with Peak Government Affairs, LTD for services to promote Cripple Creek's mission in form presented with the minor edits to change the names to City Officers with the hours and compensation as set out page 5 of the agreement. Motion carried unanimously.
- B. Consider approval of one-year agreement with KIVU Consulting for Managed Endpoint Detection and Response; Carol Stotts, HR & Risk Management Director. Stotts presented in absence of City Administrator Campbell stating these specialized services are necessary to get ahead of cyber threats. The agreement covers these services. She requested two minor changes to the Terms of Purchase – on page 6 in 17.b. "To the extent permitted by law" at the beginning of the paragraph and the addition of 29. on page 7 of the standard governmental immunity clause. She requested approval of the agreement and added costs will be covered under contingencies. Councilwoman Rozell inquired if Staff was comfortable KIVA would be able to meet the City's security needs and Stotts replied yes. Rozell also clarified KIVU will work with current IT contractor and Stotts again replied yes. **MOTION** by Councilwoman Rozell and seconded by Councilman Litherland to approve a one-year agreement with KIVU Consulting for Managed Endpoint Detection and Response in the form presented with the two minor edits to section 17.b. and a new section 29. Motion carried unanimously.

10. **EXECUTIVE SESSION** pursuant to C.R.S. § 24-6-402(4)(f) for a personnel matter to discuss the process for filling the Chief of Police position and not concerning a particular employee or employees. **MOTION** by Councilwoman Rozell and seconded by Councilman Litherland to move into Executive Session pursuant to C.R.S. § 24-6-402(4)(f) for a personnel matter to discuss the process for filling the Chief of Police position and not concerning a particular employee or employees. Motion carried unanimously.

11. **RECONVENE REGULAR MEETING AND ADJOURNMENT.** Mayor Ashworth reconvened the regular meeting at 7:22 PM and there being no further business before the City Council, the meeting was adjourned.

APPROVED:



Milford Ashworth, Mayor

ATTEST:



Janell Sciacca, City Clerk



**WEDNESDAY, FEBRUARY 19, 2020
CITY COUNCIL REGULAR MEETING MINUTES**

Location: Council Chambers, City Hall
337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland, and Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary. Staff present were City Clerk Janell Sciacca, City Attorney Erin Smith, Finance Director Paul Harris, HR / Risk Management Director Carol Stotts, HR / Risk Management Technician Heather Hildebrand, Planning & Community Development Director Bill Gray, Historic Preservation Coordinator/Planning Technician Renee Mueller, Public Works Director Steve DiCamillo, Police Chief Mike Rulo, Sgt. Charles Bright, Transportation Director Ted Schweitzer, and Transit Supervisor Mary Wagner.
4. **APPROVAL OF MINUTES**
 - A. January 22, 2020 Special Meeting
 - B. February 5, 2020 Regular Meeting

MOTION by Mayor Pro Tem Litherland and seconded by Councilwoman Trenary to approved the minutes of January 22 and February 5, 2020 meetings as written. Motion carried unanimously.
5. **PUBLIC COMMENT**

Julia Freeman, 337 E Bennett (Horsemane Beauty & Barber Boutique), spoke regarding parking issues on Bennett in the 300-400 Block. Freeman felt the 15-minute limitation was not enough time to accomplish anything, let alone a haircut or color. She proposed a 2-hour limit and parking for customers only and no parking for business employees or owners. Mayor Ashworth stated Council generally agreed and would reach out to Police and Public Works.

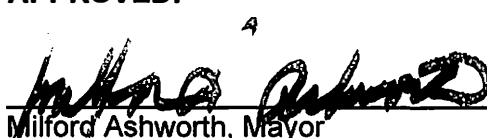
Joyce Smith, 310 Whiting, voiced similar parking concerns stating she was a Horsemane customer and needed at least 1 hour for a cut and style and 2 hours for color. Smith expressed that she supported Horsemane and wanted to see them stay.

Dan Williams, 3275 CR 61, introduced himself and stated he was running for the office of Commissioner. Williams provided a brief background on himself stating he has lived in Teller County since 1972 and then advised he was attending to learn and be part of the process.
6. **REPORTS**
 - A. City Administrator – Mayor Ashworth noted the written report in the packet.
 - B. Finance Director – Finance Director Harris stated there were no expenditure requests or budget transfers.
7. **PRESENTATIONS, UPDATES AND OTHER REPORTS**
 - A. Water and Wastewater Department Update; Mickey Groves, Plant Operations Director. Groves provided a brief update stating his Department is responsible for operation and maintenance of Water and Wastewater plants with 3 fulltime staff and 1 part-time summer intern. The Department operates 365 days a year. In 2019, 97 million gallons of water was processed with a similar amount at wastewater. Approximately 175 samples are taken each year from the distribution system. Groves advised that Drinking Water Week falls May 3-9 in 2020 and provides a unique opportunity for water professionals and communities to recognize the role water plays in our lives. He will be holding an open house with tours and requested the Council adopt a proclamation at the same time. Groves also report the City Hydraulic Deregulation application was successful allowing a change in the design flow from 1 Million gallons a day to .95 million gallons a day reducing the discharge monitoring requirement when the permit is issued. The City is operating under an Administrative Extension on the current discharge permit through 2023. He added Staff is currently working on a variable frequency drive for the return pumps which will reduce energy use. Groves thanked the Council for their support and opportunity to talk about his Department. HR / Risk Management Director Stotts publicly recognized Groves and his Staff as being recognized by the Colorado Rural Water Association for their efforts at the plant. Groves stated that he previously shared the associated article from last year and Ashworth commended Groves for setting his efforts so high.
8. **NEW BUSINESS**
 - A. Consider approval of Employee Separation Agreement between City of Cripple Creek and Mark Campbell; Erin Smith, City Attorney. Smith reported that Mark Campbell tendered his resignation and a signed copy of the agreement. The agreement is standard terms with a broad waiver and release to the City and the City is authorizing a 6-month severance lump sum payment. Smith recommended the Council approve the agreement. **MOTION** by Mayor Ashworth and seconded by Councilwoman Rozell to approve the Employee Separation Agreement as presented. Motion carried unanimously. Campbell, who was in attendance, stated it had been his pleasure to serve the citizens of Cripple Creek.
 - B. Consider approval of Resolution 2020-02 appointing Planning & Community Development Director Bill Gray as the City of Cripple Creek Designated Representative for Pikes Peak Area Council of

Governments; Bill Gray, Planning & Community Development Director. Gray provided a brief summary and stated the resolution had been reviewed by legal counsel. He recommended approval. **MOTION** by Councilwoman Rozell and seconded by Mayor Pro Tem Litherland to approve Resolution 2020-02 appointing Planning & Community Development Director Bill Gray as the City of Cripple Creek Designated Representative for Pikes Peak Area Council of Governments as presented. Motion carried unanimously.

- C. Consider approval of Resolution 2020-03 ratifying the City Council February 5, 2020 approval of a Front Setback Variance to allow a Zero (0') foot setback for property described as Lot 26, Block 33, Hayden Placer and located in an R-2 – Limited Residential Zone; Bill Gray, Planning & Community Development Director. Gray presented stating this would finalize the approval of the variance approved following the findings made at the February 5 public hearing. Gray recommended approval stating the resolution had been reviewed by legal counsel. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Trenary to approve Resolution 2020-03 ratifying the City Council February 5, 2020 approval of a Front Setback Variance to allow a Zero (0') foot setback for property described as Lot 26, Block 33, Hayden Placer and located in an R-2 – Limited Residential Zone as presented. Motion carried unanimously.
- D. Consider approval of Grant Agreement with the State of Colorado Department of Transportation for Design of a Transit Maintenance Facility; Ted Schweitzer, Director of Transportation. Schweitzer presented stating he was seeking approval of the grant which was funded by SB 267 money for design of a transit facility for bus and rail. The total grant is \$150,000 with the City match being \$30,000. \$15,000 will come out of the 2020 budget and the remaining \$15,000 from the 2021 budget. Schweitzer added this grant dovetails into another grant that will be presented next month. He briefly reviewed the Statement of Work and Budget on p. 19 for the Council's information. Councilwoman Trenary asked where the proposed site was and Schweitzer replied he is working with Casino owners and looking at a possible location at Warren and Hwy 67. **MOTION** by Councilwoman Rozell and seconded by Mayor Pro Tem Litherland to approve the Grant Agreement with the State of Colorado Department of Transportation for Design of a Transit Maintenance Facility as presented. Motion carried unanimously.
- E. Consider acceptance or denial of Bennett Avenue Water Main Replacement Bid from Native Sun Construction, Inc.; Steve DiCamillo, Public Works Director. DiCamillo presented stating there have been several line breaks on Bennett Avenue. He stated only 1 bid in the amount of \$1,120,839.14 was received from Native Sun Construction, Inc. While the bid was \$120,000 over, DiCamillo felt this amount could be found if needed and he felt prices would only go up in the future. DiCamillo stated he contacted 7 references and was told Native Sun was underbidding everyone or that those that have worked with them had no problems, they were fantastic to work with, companies would work with them again, companies were very satisfied, the contractor was hardworking, or they get the job done. He spent 1.5 hours with the contractor yesterday going over projects they have done and he and the Engineer who attended the meeting were both comfortable with Native Sun and recommended moving forward. Mayor Ashworth inquired what the project start date is. DiCamillo replied April 1. Ashworth also inquired about the completion date and DiCamillo replied it is 60 days per the contract. However, paving might not be done by Memorial Day because weather will be a big factor. There was no public comment. **MOTION** by Councilwoman Rozell and seconded by Mayor Ashworth to accept the Bennett Avenue Water Main Replacement Bid from Native Sun Construction, Inc. as presented. Motion carried unanimously. Mayor Ashworth inquired about additional funding from DOLA and DiCamillo stated the City was awarded \$500,000 with a 50% match. Ashworth also inquired about a possible CDOT Grant and DiCamillo replied a request had been made in the amount of \$500,000 and was still in process.
- F. Discussion of and direction to Staff regarding process for filling Chief of Police position; Carol Stotts, HR / Risk Management Director. Stotts introduced the discussion. She stated Chief Rulo was in attendance and had worked on and developed a succession plan he is confident with. Mayor Pro Tem Litherland stated that he personally would like to see someone appointed who was brought up from within the ranks and knows the community. Councilwoman Trenary agreed and felt it also best to promote from within ranks. Councilwoman Rozell inquired of Rulo on the succession plan. Rulo stated he had traveled this path before in Woodland Park where he recommended Bob Larson and he feels he is in a similar position in Cripple Creek and was recommending appointment of Sgt. Charles "Bud" Bright. Rulo stated he came to first know Bright while working with him during the Jacob Ind murder in Woodland Park. Bright served with the Teller County Sheriff's Department for 23 years. Rulo emphasized that it is critical to have someone professional and that is able to interact with other EMS offices and who is familiar with incident command. Bud participated in the Response Team during the High Chateau Fire. He felt the Chief also needed to be honorable and well-qualified. Rulo stated Bright is a straight shooter and he and his wife own a home in Cripple Creek, their son works at mine and their daughter works in a Casino. He also has critical support of his fellow law enforcement. Rulo recommended appointment of Bud Bright. Stotts reported that Dispatch Supervisor Pritchard also recommended his appointment. City Clerk Sciacca echoed support noting she had worked with Bright since the early 90's in different capacities. City Attorney Smith advised Council direction to Staff was appropriate and following additional discussion on Council's options for filling the vacancy, the Mayor and Councilmembers general consensus was to move forward with the appointment as recommended by Rulo.
9. **ADJOURNMENT.** There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 6:17 PM.

APPROVED:


Milford Ashworth, Mayor

ATTEST:


Janell Sciacca, City Clerk



**WEDNESDAY, MARCH 4, 2020
REGULAR CITY COUNCIL MEETING MINUTES**

Location: Council Chambers, City Hall
337 E. Bennett Avenue, Cripple Creek, Colorado 80813

4:00 PM – WORK SESSION

**DISCUSSION REGARDING APPOINTMENT OF INTERIM CITY ADMINISTRATOR AND
RECRUITMENT PROCESS FOR SELECTION OF REGULAR CITY ADMINISTRATOR**

The Mayor and members of City Council held a work session with City Department Heads and discussed options for temporarily filling the Administrator position during the search for a regular Administrator. Finance Director Paul Harris will initially be appointed Interim. Options for selection of a regular Administrator were also discussed with Human Resources being given general direction to contact KRW regarding a nationwide search.


5:30 PM – REGULAR MEETING

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **INVOCATION AND PLEDGE OF ALLEGIANCE**– Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland, and Councilmembers Meghan Rozell and Charles Solomone. Councilwoman Melissa Trenary was absent. Staff present were City Clerk Janell Sciacca, City Attorney Erin Smith, Finance Director Paul Harris, HR / Risk Management Director Carol Stotts, HR / Risk Management Technician Heather Hildebrand, Planning & Community Development Director Bill Gray, Police Chief Mike Rulo, Sgt. Charles Bright, and Sgt. Rob Kible.
4. **APPROVAL OF MINUTES**
February 19, 2020 Regular Meeting – **MOTION** by Councilwoman Rozell and seconded by Mayor Pro Tem Litherland to approve the minutes of the February 19, 2020 Regular Meeting as written. Motion carried unanimously.
5. **PUBLIC COMMENT**
Mayor Ashworth commended First Responders for their professionalism and handling of his recent accident at the Post Office. Colt Simmons, Teller County Assessor, distributed a 2019 Abstract of Assessment pamphlet.
6. **REPORTS**
 - A. City Administrator – Acting Administrator Harris noted the written report in the packet and advised the Council there would be a work session with EIS Solutions at 4:30 PM on March 18 regarding a proposed ballot initiative that would allow local control of setting betting limits and new games.
 - B. Finance Director – Harris advised financial matters were on the agenda as business items.
7. **PRESENTATIONS, UPDATES AND OTHER REPORTS** – None.
8. **NEW BUSINESS**
 - A. Consider appointment of Paul Harris as Interim City Administrator; Carol Stotts, HR / Risk Management Director. Stotts presented and recommended appointment of Finance Director Paul Harris as Interim City Administrator. **MOTION** by Councilwoman Rozell and seconded by Mayor Pro Tem Litherland to appoint Paul Harris Interim City Administrator. Motion carried unanimously.
 - B. Consider appointment of Charles “Bud” Bright to serve as succeeding Chief of Police; Carol Stotts, HR / Risk Management Director. Stotts presented and recommended appointment of Charles “Bud” Bright to serve as succeeding Chief of Police upon the retirement on April 3, 2020 of current Chief Mike Rulo. **MOTION** by Mayor Ashworth and seconded by Councilman Solomone to appoint Charles “Bud” Bright as succeeding Chief of Police. Motion carried unanimously.
 - C. First Reading of Ordinance 2020-01 approving the rezoning of property located at 405 E. Pikes Peak Avenue from R-2 Limited Residential District (R-2) to BB Neighborhood Mixed Use District (BB) and setting of Public Hearing for April 1, 2020; Bill Gray, Planning & Community Development Director. Gray presented reminding the associated application was approved on December 18, 2019 and this was the associated Ordinance. He recommended approval of Ordinance 2020-01 on initial posting and setting of the Public Hearing for April 1, 2020. **MOTION** by Councilwoman Rozell and seconded by Mayor Pro Tem Litherland to approve of Ordinance 2020-01 on initial posting and setting of the Public Hearing for April 1, 2020. Motion carried unanimously.
 - D. Discussion regarding amendment of Development Code to revise the definition for “projection”; Bill Gray, Planning & Community Development Director. Gray presented reviewing the Staff

Report. The general consensus of Council was to move forward with an ordinance to amend the Development Code as presented.

- E. Consider approval of Resolution 2020-04 approving a Notice of Award to GMCO for the PW2020-2 Chip Seal Project; Steve DiCamillo, Public Works Director. Harris presented for DiCamillo. He reviewed the quotes and reported Staff was comfortable with moving forward to award the PW2020-2 Chip Seal Project bid to GMCO as recommended by the Public Works Department. Councilwoman Rozell inquired if GMCO had done work for the City or in the area before. City Clerk Sciacca advised she was aware Teller County had used them for projects as far back as the early 90's. **MOTION** by Mayor Pro Tem Litherland and seconded by Mayor Ashworth to approve Resolution 2020-04 as presented. Motion carried unanimously.
 - F. Consider approval of Resolution 2020-05 authorizing a Professional Services Agreement with Municipal Code Corporation "Municode" for recodification of the Cripple Creek Municipal Code; Janell Sciacca, City Clerk. Sciacca presented reviewing the proposal. She stated the quote cost was \$13,450, but only a portion of that would be paid in 2020. She added that \$12,000 was budget in the Clerk's line item, but not all of that would spent in 2020. The outstanding amount would be budgeted for in 2021 and she would also be covering an additional one-time \$250 for a custom banner and future budgets would include an annual \$350 for MuniDocs. Sciacca recommended approval as presented. **MOTION** by Councilwoman Rozell and seconded by Mayor Pro Tem Litherland to approve Resolution 2020-05 as presented. Motion carried unanimously
 - G. Consider approval of Resolution 2020-06 authorizing a Professional Services Agreement with Phoenix Technology Group for Managed Information Technology Services; Paul Harris, Finance Director. Harris presented an overview. City Attorney Smith stated she requested a change to the compensation paragraph which adds Phoenix will be paid on a per device basis for \$95/device and that number would go up or down depending on actual machines. Smith recommended approving the agreement. Harris added the current vendor will be finishing up by March 31, 2020. **MOTION** by Councilwoman Rozell and seconded by Councilman Solomone to approve Resolution 2020-06 as presented. Motion carried unanimously.
9. **ADJOURNMENT** There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 6:12 PM.

APPROVED:


Milford Ashworth, Mayor

ATTEST:


Janell Sciacca, City Clerk



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**WEDNESDAY, MARCH 18, 2020
REGULAR CITY COUNCIL MEETING MINUTES**

Location: Council Chambers, City Hall
337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 2:00 PM having previously been posted in accordance with Colorado Open Records Law.
2. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland, and Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary. Staff present were City Clerk Janell Sciacca, City Attorney Erin Smith (by phone), Finance Director/Interim City Administrator Paul Harris, HR / Risk Management Director Carol Stotts and Fire Chief Dean O’Nale.
3. **FINANCE DIRECTOR / CITY ADMINISTRATOR UPDATE**
Harris announced the City would have a 2-hour weather delay due to snow moving in. He inquired about Council availability for a meeting next week and it was determined a Special Meeting would be scheduled for Tuesday, March 24, 2020 at 2:00 PM. Harris stated he would send out a packet in advance detailing possible economic impacts of the pandemic. Fire Chief O’Nale provided a COVID-19 update and brief the Council on the command structure in place. He announced that a specimen site was looked at in Woodland Park and reported all pertinent information could be found on the Teller County Sheriff website who was the designated PIO. O’Nale advised that Captain Lohmeier had been put in charge at the Fire Department due to his absence and position in the unified command structure as Deputy Ops/EMS Branch Director. Litherland stated how impressed he was with everyone and thanked City Staff for an excellent job. Harris reported that Teller County declared an emergency, Woodland Park closed its offices to the public and Cripple Creek would move to Stage III of its COVID Action Plan also closing offices to the public keeping essential and other limited Staff on-site. He added the City would not be increasing water rates on April 1 nor would there be any late fees or shut offs during this time.
4. **NEW BUSINESS**
 - A. Consider approval of an Emergency Resolution concerning the Corona Virus (COVID – 19) Public Health Emergency, Declaring an Emergency, and setting forth procedures for holding Council Meetings as Virtual Meetings. Smith presented an overview and reviewed the purpose of the resolution. She noted this is only the beginning and there will be more steps to come. Meetings will still be open to the public but only a total of ten (10) total people could be present including Councilmembers and Staff. Smith inquired of the Council’s desire to conduct quasi-judicial hearings electronically noting two (2) pending applications – a nail salon and a storage use. The Council generally agreed to defer these matters to a later date. Ashworth announced he would be the Councilmember to be present at each meeting. Smith noted one minor amendment in Section 1. (a) changing the first line to read “In the event the City Council is unable to conduct its regular meetings and special meetings...”: **MOTION** by Councilwoman Rozell and seconded by Councilman Litherland to approve Emergency Resolution 2020-07 concerning the Corona Virus (COVID-19) Public Health Emergency, and setting forth procedures for holding Council Meetings as virtual meetings with the amendment of the first line of Section 1. (a) as recommended by legal counsel. Motion carried unanimously.
5. **ADJOURNMENT** There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 4:26 PM.

APPROVED:


Milford Ashworth, Mayor

ATTEST:


Janell Sciacca, City Clerk




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**TUESDAY, MARCH 24, 2020
SPECIAL CITY COUNCIL MEETING MINUTES**

**Location: Council Chambers, City Hall
337 E. Bennett Avenue, Cripple Creek, Colorado 80813**

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 2:00 PM having previously been posted in accordance with Colorado Open Records Law.
2. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland, and Councilmembers Meghan Rozell (online), Charles Solomone and Melissa Trenary. Staff present were City Clerk Janell Sciacca, City Attorney Erin Smith (by phone), Finance Director/Interim City Administrator Paul Harris, and Public Works Director Steve DiCamillo.
3. **FINANCE DIRECTOR / CITY ADMINISTRATOR UPDATE** - Harris announced Staff wanted to have a brief discussion on moving forward with the Bennett Avenue water line project beginning April 1. He noted the current COVID-19 related risks. It is a \$1.1 million project with \$500,000 to be coming from DOLA and the City hoped DOLA would honor that award. The City has to cash flow the project but he felt it was possible. Public Works Director DiCamillo expressed the importance of the project stating it was only a matter of time and breaks were going to happen. With the casinos such down it would be less impact on them to do the project now. He spoke with DOLA who confirmed the money is there. DOLA also said the City could file for an extension but then there would be no guarantee the money would still be available. An application has been submitted to CDOT for additional monies but the City will not hear on that for some time yet. DiCamillo reported these types of projects are not being shut down under current public health orders. The contractor Native Sun is ready to go and he recommended moving forward. City Attorney Smith stated she was comfortable moving forward as well and the contract was a strong, good contract with protections for the City if the contractor were to default. The City will monitor things closely and she agreed the exemption made in Denver for infrastructure related projects during the Stay At Home Order should similarly apply in this case if the Governor orders the same for the entire state. She endorsed DiCamillo's recommendation. Following additional discussion on financial implications should the casinos remain closed in May and June or longer, Harris stated he would be reviewing the budget for available reductions. The City Council generally agreed they were comfortable with Harris being able to find a way to make everything work and agreed to move forward with the Bennett Avenue water line replacement and put the Department's Chip Seal project on hold. Harris provided an update on the Corona virus stating there were three (3) new confirmed cases in Teller County and unfortunately one of the victims passed away. He stated he was scheduled to attend an ICS emergency team update online later in the afternoon.
4. **NEW BUSINESS**
 - A. First Reading of Ordinance 2020-02 amending Article 5 of the Cripple Creek Municipal Code regarding device fees to allow for the waiver of device fees for the month of April, 2020; Paul Harris, Finance Director/ Interim City Administrator. (*The reason for the proposed waiver is the industry wide closure - per an order of the Governor of the State of Colorado. If approved, it is estimated that the City of Cripple Creek would incur a loss of revenue in the amount of \$303,225, in waived device fees, for the month of April 2020.*) Harris noted the casino owner representation at the meeting. The City felt it important to look at the 2nd Quarter device fees for April due to the current closure imposed through April 30. Based on all the information Staff was recommending the Emergency Ordinance change be made to waive the April device fees in the amount of \$303,225. He stated there will be additional revenue losses in a number of other areas and while there has been inquiry about waiving additional month's fees as well, Staff recommended taking it a step at a time. Baxter Lee, GM of Bronco Billy's Casino, stated the casino operators were facing many uncertainties and know it won't be business as usual when they reopen so they appreciated the City considering the waiver. He asked the Council to bear in mind they were having multiple meetings every day discussing strategies moving forward and they collectively employed 1,000 families and just like the City they too are concerned about cash flow. Matt Andrighetti, Interim GM for Wildwood Casino, echoed Lee's comments and felt everyone had done a great job so far taking care of their employees. Councilwoman Rozell stated she saw that Blackhawk waived over \$700,000 fees for the casinos, or 2.3% of their budget, and comparatively Cripple Creek would be giving back 2.5%. Overall, the Council felt it was best to look at waivers on a month-by-month basis and to help the casinos out so they could help out their employees. **MOTION** by Councilwoman Trenary and seconded by Councilwoman Rozell to approve Emergency Ordinance 2020-02 amending Article 5 of the Cripple Creek Municipal Code regarding device fees to allow for the waiver of device fees for the month of April, 2020. Motion carried unanimously.
5. **ADJOURNMENT** There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 2:50 PM.

APPROVED:


Milford Ashworth, Mayor

ATTEST:


Janell Sciacca, City Clerk



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WEDNESDAY, APRIL 1, 2020 REGULAR CITY COUNCIL MEETING MINUTES

Location: Council Chambers, City Hall
337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland, and Councilmembers Meghan Rozell (online), Charles Solomone and Melissa Trenary. Staff present were City Clerk Janell Sciacca, City Attorney Erin Smith (online), Finance Director/Interim City Administrator Paul Harris (online), Planning & Community Development Director Bill Gray (online) and Chief of Police Bud Bright (online).
4. **APPROVAL OF MINUTES**
 - A. March 4, 2020 Regular Meeting – **MOTION** by Mayor Ashworth and seconded by Councilwoman Trenary to approve the March 4, 2020 meeting minutes as written. Motion carried unanimously.
5. **PUBLIC COMMENT** – None.
6. **FINANCE DIRECTOR / CITY ADMINISTRATOR UPDATE** - Harris thanked Sciacca for figuring out how to make the online meetings work. He also mentioned the second Community Update would be posted on the City's website on Friday. Everyone is experiencing difficult times and the City is working with Teller County and other agencies to do what it can to address the issues. He recognized the Aspen Mine Center, CC-V School and Community Partnership in doing what they can to help residents. The City is also doing what it can to help all the business and Harris felt by working together we will overcome.
7. **NEW BUSINESS**
 - A. Ordinance 2020-01 approving the rezoning of property located at 405 E. Pikes Peak Avenue from R-2 Limited Residential District (R-2) to BB Neighborhood Mixed Use District (BB); Bill Gray, Planning & Community Development Director. Councilwoman Trenary recused herself announcing her husband is employed by Wildwood. Gray provided an overview and stated this is the ordinance which was published after first reading. No additional comments were received, and Staff recommended adoption of the ordinance approving the rezoning. **MOTION** by Mayor Ashworth and seconded by Councilwoman Rozell to approve Ordinance 2020-01 approving the rezoning of property located at 405 E. Pikes Peak Avenue from R-2 Limited Residential District (R-2) to BB Neighborhood Mixed Use District (BB) as presented. Motion carried unanimously.
 - B. Emergency Ordinance 2020-02 amending Article 5 of the Cripple Creek Municipal Code regarding device fees to allow for the waiver of device fees for the month of April, 2020; Paul Harris, Finance Director/Interim City Administrator. Harris stated this was second reading of the ordinance. He reviewed the purpose noting it provides approximately \$303,000 of relief in device fees for the casino industry during the State ordered closure. Councilwoman Rozell noted an email from a casino owner asking the Council to reconsider moving a payment date and she would be speaking with the individual off record. She was comfortable moving forward on a month-to-month basis as per the previous meeting's discussions. Ashworth agreed with Rozell's comments. **MOTION** by Councilwoman Rozell moved and seconded by Mayor Pro Tem Litherland to approve Emergency Ordinance 2020-02 amending Article 5 of the Cripple Creek Municipal Code regarding device fees to allow for the waiver of device fees for the month of April, 2020 as presented. Motion carried unanimously.
 - C. **TO BE CONTINUED TO APRIL 15, 2020** – Consider application from John & Karen Freeman for Conditional Use Permit for Self-Storage to be located at the Southeast corner of 4th Street and Myers Avenue (Lots 1-4, Block 1, Arcadia Heights); Bill Gray, Planning & Community Development Director. Gray reviewed the Staff memorandum. He reported the application was properly noticed and last week Staff heard from the property owner and applicants relative to a pending sale which could be jeopardized if the public hearing was delayed further. Staff recommended moving forward to accommodate the real estate deal during the unfortunate circumstances. Councilwoman Rozell inquired if any feedback or remarks were received since the Public Notice. Gray replied No and stated over the next two weeks he would be reaching out independently to the individual affected owners to explain the circumstances. Rozell thanked him for going above and beyond. **MOTION** by Councilwoman Trenary and seconded by Mayor Pro Tem Litherland to continue the application from John & Karen Freeman for Conditional Use Permit for Self-Storage to April 15, 2020 at 5:30 PM. Motion carried unanimously.
8. **ADJOURNMENT** There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 5:44 PM.

APPROVED:


Milford Ashworth, Mayor

ATTEST:


Janell Sciacca, City Clerk



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CITY COUNCIL MINUTES

**WEDNESDAY, APRIL 15, 2020
5:30 PM – REGULAR MEETING**

**Location: Council Chambers, City Hall
337 E. Bennett Avenue, Cripple Creek, Colorado 80813**

Work Sessions were conducted online via Zoom prior to the Regular Meeting. These Work Session were regarding proposed November Ballot Measure #257 for a statewide and local vote regarding changing the gaming limits and adding additional games and the City of Cripple Creek 2020 Marketing Plan Presentation. No action was taken nor formal business conducted during the Zoom Work Sessions.

1. **CALL TO ORDER** – Mayor Ashworth called the Regular Meeting to order approximately 5:40 PM having previously been posted in accordance with Colorado Open Records Law.
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Mayor Ashworth ledge the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland and Councilmembers Meghan Rozell (online), Charles Solomone and Melissa Trenary. Staff present were City Clerk Janell Sciacca (online), City Attorney Erin Smith, Finance Director Paul Harris (online), Police Chief Charles Bright (online), Dispatch Supervisor Diann Pritchard (online), Transportation Director Ted Schweitzer (online), Marketing & Events Director Jeff Mosher and Planning & Community Development Director Bill Gray.
4. **APPROVAL OF MINUTES**
 - A. March 18, 2020 Regular Meeting
 - B. March 24, 2020 Special Meeting
 - C. April 1, 2020 Regular Meeting

MOTION by Mayor Pro Tem Litherland and seconded by Councilwoman Trenary to approve the minutes of the March 18, March 24 and April 1 meetings as presented. Motion carried unanimously.
5. **PUBLIC COMMENT** – Mayor Ashworth recognized and thanked first responders and everyone involved on the front lines of the COVID-19 response.
6. **REPORTS**
 - A. **City Administrator / Finance Director** – Harris provided an update on the CENSUS stating there was a 50% statewide average response but Cripple Creek was only at 5%. He encouraged everyone to fill it out stressing the response affects funding for the City. He also reported the Community Trash days for May was being cancelled and the City hoped to do one in the fall. Harris noted the City's online Water & Sewer bill pay was back up with no transaction fees and he encouraged citizens to use the system for convenience and safety. He thanked Melissa Beaty, Janell Sciacca and Heather Hildebrand of the City's Staff and AccuFund contractor Becky Wittmer for working on the project. Finally, Harris thanked Newmont Mining Company whose global parent company was making \$20 million of COVID-19 related funding available in communities where they operate.
7. **PRESENTATIONS, UPDATES AND OTHER REPORTS** – None.
8. **PUBLIC HEARING(S)**
 - A. **Consider approval of application from John & Karen Freeman for Conditional Use Permit for Self-Storage to be located at the Southeast corner of 4th Street and Myers Avenue (Lots 1-4, Block 1, Arcadia Heights);** Bill Gray, Planning & Community Development Director. Mayor Ashworth opened the Public Hearing and City Attorney Smith reviewed the procedural steps that would be followed noting they were distributed to the Council and the applicant. There were no questions regarding the procedure of the process. Planning & Community Development Director Gray then distributed to Council a packet of several pages that the applicant had provided to Staff which is incorporated as part of the minutes. Gray proceeded to provide an overview of the subject request. At approximately 6:04 PM, Marketing and Events Director Mosher, who was monitoring the meeting remotely, interrupted the presentation and reported the A/V equipment was not picking up Director Gray's voice and that his presentation was only partially audible to those attending the meeting remotely. Accordingly, Director Gray made some adjustments in order to be heard by those attending the meeting remotely online via Webex and continued his presentation. At approximately 6:10 PM, Mosher again interrupted the presentation to report that he and presumably others from the public had been kicked out of the remote meeting due to broadband issues. Councilwoman Rozell asked for a point of clarification on public process at this time and City Attorney Smith advised Council that she was concerned State law requirement was not being satisfied. She recommended the hearing be suspended and continued to a date and time certain. She also advised that due to technological concerns the assumption had to be made that the

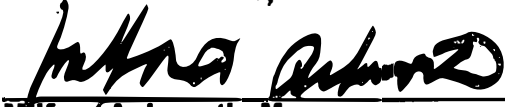
public was unable to hear the discussion of the new hearing time and therefore notice by publication and notice by mail would have to be redone. Following discussion regarding required and proper public notification, Gray stated May 13 would be the soonest the hearing could be held. The applicant agreed to a continuation of the hearing and thanked Staff and the Council for their effort in trying to hold the hearing. Upon a finding by Council that the hearing could not proceed due to technological problems making the meeting inaudible to the public present online the Council agreed to continue the hearing to their Regular Meeting on May 20, 2020. **MOTION** by Mayor Ashworth and seconded by Mayor Pro Tem Litherland to continue the Public Hearing on the application from John & Karen Freeman for Conditional Use Permit for Self-Storage to be located at the Southeast corner of 4th Street and Myers Avenue (Lots 1-4, Block 1, Arcadia Heights) to May 20, 2020 at 5:30 PM. Motion carried unanimously.

9. **NEW BUSINESS**

A. Consider approval of Resolution 2020-08 approving a Subaward Grant Agreement with the Colorado Department of Transportation for Project 2020-5304 Cripple Creek Vintage Trolley Project; Ted Schweitzer, Transportation Director. Schweitzer presented an overview of the grant and project. He directed Council to page 20 of the contract (Statement of Work) and to the Project End Date line and pointed out the date is September 30, 2022. He called this out in light of current funding stating he was wanting to get the project in the pipeline to move it along. Schweitzer requested approval of the 5304 Cripple Creek Vintage Trolley Project grant which encompasses a feasibility study for a fixed track trolley system to include analysis and identification of capital operating costs, listing of suggested vehicles, track design, layout, traffic and parking considerations, and recommendations for related infrastructure and facilities. The total project cost is \$50,000 with the Federal FTA CDOT portion being \$40,000 and local match of \$10,000. There was no public comment. Litherland inquired if the City had the \$10,000. Finance Director Harris replied this was a budgeted item but was part of reductions made due to revenue losses and Schweitzer shifted the project to 2021. If the City is not able to complete in 2021 there is potential it could be shifted further out. Harris felt there was sufficient flexibility and the City should approve the grant. **MOTION** by Councilwoman Rozell and seconded by Councilman Solomone to approve Resolution 2020-08 approving a Subaward Grant Agreement with the Colorado Department of Transportation for Project 2020-5304 Cripple Creek Vintage Trolley Project as presented. Motion carried unanimously.

10. **ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the online Webex meeting at 6:20 PM.

APPROVED:


Milford Ashworth, Mayor

ATTEST:


Janell Sciacca, City Clerk



**REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, MAY 6, 2020**

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland, and Councilmembers Meghan Rozell (online), Charles Solomone (online) and Melissa Trenary (online). Staff present were City Clerk Janell Sciacca, City Attorney Erin Smith (online), Finance Director Paul Harris (online), Police Chief Charles Bright (online), HR & Risk Management Director Carol Stotts (online) and Public Works Director Steve DiCamillo.
4. **APPROVAL OF MINUTES**
 - A. April 15, 2020 Regular Meeting – **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Rozell to approve the minutes of the April 15, 2020 meeting as written. Motion carried unanimously.
5. **PUBLIC COMMENT** – None.
6. **PROCLAMATIONS:**
 - A. Municipal Clerk's Week May 3-9, 2020
 - B. National Peak Officers Week May 10-16, 2020Mayor Ashworth read the proclamations into the record. He also took the opportunity to thank Nurses recognizing that May 6, 2020 was National Nurses Day. City Clerk Sciacca read a few lines from President Trump's official proclamation.
7. **REPORTS**
 - A. Interim City Administrator/Finance Director – Harris provided an update on COVID-19 Incident Command. He reported that testing would finally be available in Cripple Creek and Victor on Friday, May 8 to anyone with a Doctor's referral. COVID symptom screening would be and this information was posted to the City's website, at City Hall and at the Post Office.
 - B. Public Works Director – DiCamillo gave a brief report on the Bennett Avenue Water line project. He noted the project was on schedule and had gone pretty well with only a few minor issues including flooding of two casinos and a couple short water outages on the south side of the City. Water connections are done and curb and gutter were in process with paving scheduled to start the week of May 25.
8. **NEW BUSINESS**
 - A. Consider approval of Resolution 2020-09 waiving Gaming Device Fees for the month of May, 2020; Paul Harris, Interim City Administrator / Finance Director. Harris provided a brief history on the COVID-19 related casino closure that began March 17, 2020. He pointed out the associated device fee waiver amount for May was over \$313,000 with a total for both April and May of which was estimated to be a total of \$616,000. Scott Porter, Triple Crown Casinos Director of Operations, spoke representing the casino owner. Porter thanked the City Council for the relief on device fees. He indicated casinos were in discussion with the Governor's Office on reopening plans and hoped to have approval soon. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Trenary to approve Resolution 2020-09 waiving Gaming Device Fees for the month of May, 2020 as presented. Motion carried unanimously.
9. **ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 6:05 PM

APPROVED:

Milford Ashworth, Mayor

ATTEST:

Janell Sciacca, City Clerk



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**REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, MAY 6, 2020
IN PERSON AND ONLINE VIA WEBEX**

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland, and Councilmembers Meghan Rozell (online), Charles Solomone (online) and Melissa Trenary (online). Staff present were City Clerk Janell Sciacca, City Attorney Erin Smith (online), Finance Director Paul Harris (online), Police Chief Charles Bright (online), HR & Risk Management Director Carol Stotts (online) and Public Works Director Steve DiCamillo.
4. **APPROVAL OF MINUTES**
 - A. April 15, 2020 Regular Meeting – **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Rozell to approve the minutes of the April 15, 2020 meeting as written. Motion carried unanimously.
5. **PUBLIC COMMENT** – None.
6. **PROCLAMATIONS:**
 - A. Municipal Clerk's Week May 3-9, 2020
 - B. National Peak Officers Week May 10-16, 2020

Mayor Ashworth read the proclamations into the record. He also took the opportunity to thank Nurses recognizing that May 6, 2020 was National Nurses Day. City Clerk Sciacca read a few lines from President Trump's official proclamation.
7. **REPORTS**
 - A. Interim City Administrator/Finance Director – Harris provided an update on COVID-19 Incident Command. He reported that testing would finally be available in Cripple Creek and Victor on Friday, May 8 to anyone with a Doctor's referral. COVID symptom screening would be and this information was posted to the City's website, at City Hall and at the Post Office.
 - B. Public Works Director – DiCamillo gave a brief report on the Bennett Avenue Water line project. He noted the project was on schedule and had gone pretty well with only a few minor issues including flooding of two casinos and a couple short water outages on the south side of the City. Water connections were complete and curb and gutter in process with paving scheduled to start the week of May 25.
8. **NEW BUSINESS**
 - A. Consider approval of Resolution 2020-09 waiving Gaming Device Fees for the month of May, 2020; Paul Harris, Interim City Administrator / Finance Director. Harris provided a brief history on the COVID-19 related casino closure that began March 17, 2020. He pointed out the associated device fee waiver amount for May was over \$313,000 with a total for both April and May of which was estimated to be a total of \$616,000. Scott Porter, Triple Crown Casinos Director of Operations, spoke representing the casino owner. Porter thanked the City Council for the relief on device fees. He indicated casinos were in discussion with the Governor's Office on reopening plans and hoped to have approval soon. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Trenary to approve Resolution 2020-09 waiving Gaming Device Fees for the month of May, 2020 as presented. Motion carried unanimously.
9. **ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 6:05 PM

APPROVED:


Milford Ashworth, Mayor

ATTEST:


Janell Sciacca, City Clerk



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WEDNESDAY, APRIL 1, 2020 REGULAR CITY COUNCIL MEETING MINUTES

Location: Council Chambers, City Hall
337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland, and Councilmembers Meghan Rozell (online), Charles Solomone and Melissa Trenary. Staff present were City Clerk Janell Sciacca, City Attorney Erin Smith (online), Finance Director/Interim City Administrator Paul Harris (online), Planning & Community Development Director Bill Gray (online) and Chief of Police Bud Bright (online).
4. **APPROVAL OF MINUTES**
 - A. March 4, 2020 Regular Meeting – **MOTION** by Mayor Ashworth and seconded by Councilwoman Trenary to approve the March 4, 2020 meeting minutes as written. Motion carried unanimously.
5. **PUBLIC COMMENT** – None.
6. **FINANCE DIRECTOR / CITY ADMINISTRATOR UPDATE** - Harris thanked Sciacca for figuring out how to make the online meetings work. He also mentioned the second Community Update would be posted on the City's website on Friday. Everyone is experiencing difficult times and the City is working with Teller County and other agencies to do what it can to address the issues. He recognized the Aspen Mine Center, CC-V School and Community Partnership in doing what they can to help residents. The City is also doing what it can to help all the business and Harris felt by working together we will overcome.
7. **NEW BUSINESS**
 - A. Ordinance 2020-01 approving the rezoning of property located at 405 E. Pikes Peak Avenue from R-2 Limited Residential District (R-2) to BB Neighborhood Mixed Use District (BB); Bill Gray, Planning & Community Development Director. Councilwoman Trenary recused herself announcing her husband is employed by Wildwood. Gray provided an overview and stated this is the ordinance which was published after first reading. No additional comments were received, and Staff recommended adoption of the ordinance approving the rezoning. **MOTION** by Mayor Ashworth and seconded by Councilwoman Rozell to approve Ordinance 2020-01 approving the rezoning of property located at 405 E. Pikes Peak Avenue from R-2 Limited Residential District (R-2) to BB Neighborhood Mixed Use District (BB) as presented. Motion carried unanimously.
 - B. Emergency Ordinance 2020-02 amending Article 5 of the Cripple Creek Municipal Code regarding device fees to allow for the waiver of device fees for the month of April, 2020; Paul Harris, Finance Director/Interim City Administrator. Harris stated this was second reading of the ordinance. He reviewed the purpose noting it provides approximately \$303,000 of relief in device fees for the casino industry during the State ordered closure. Councilwoman Rozell noted an email from a casino owner asking the Council to reconsider moving a payment date and she would be speaking with the individual off record. She was comfortable moving forward on a month-to-month basis as per the previous meeting's discussions. Ashworth agreed with Rozell's comments. **MOTION** by Councilwoman Rozell moved and seconded by Mayor Pro Tem Litherland to approve Emergency Ordinance 2020-02 amending Article 5 of the Cripple Creek Municipal Code regarding device fees to allow for the waiver of device fees for the month of April, 2020 as presented. Motion carried unanimously.
 - C. **TO BE CONTINUED TO APRIL 15, 2020** – Consider application from John & Karen Freeman for Conditional Use Permit for Self-Storage to be located at the Southeast corner of 4th Street and Myers Avenue (Lots 1-4, Block 1, Arcadia Heights); Bill Gray, Planning & Community Development Director. Gray reviewed the Staff memorandum. He reported the application was properly noticed and last week Staff heard from the property owner and applicants relative to a pending sale which could be jeopardized if the public hearing was delayed further. Staff recommended moving forward to accommodate the real estate deal during the unfortunate circumstances. Councilwoman Rozell inquired if any feedback or remarks were received since the Public Notice. Gray replied No and stated over the next two weeks he would be reaching out independently to the individual affected owners to explain the circumstances. Rozell thanked him for going above and beyond. **MOTION** by Councilwoman Trenary and seconded by Mayor Pro Tem Litherland to continue the application from John & Karen Freeman for Conditional Use Permit for Self-Storage to April 15, 2020 at 5:30 PM. Motion carried unanimously.
8. **ADJOURNMENT** There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 5:44 PM.

APPROVED:


Milford Ashworth, Mayor

ATTEST:


Janell Sciacca, City Clerk



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**REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, MAY 20, 2020**

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland, and Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary (online). Staff present were City Clerk Janell Sciacca, City Attorney Erin Smith (online), Finance Director/Interim City Administrator Paul Harris, HR & Risk Management Director Carol Stotts (online), Planning & Community Development Director Bill Gray and Officers Karr
4. **APPROVAL OF MINUTES**
 - A. May 6, 2020 Regular Meeting – **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Rozell to approve the minutes of the May 6, 2020 meeting as written. Motion carried unanimously.
5. **PUBLIC COMMENT** – None.
6. **REPORTS**
 - A. Interim City Administrator/Finance Director – Harris provided an update on COVID-19 testing stating the Cripple Creek testing schedule had changed to Wednesdays only between 9AM and 11AM.
7. **PRESENTATIONS, UPDATES & OTHER REPORTS**
 - A. Newmont Cripple Creek & Victor Gold Mine Update; Melissa Harmon, General Manager. Mayor Ashworth announced this item had been postponed to June 3, 2020).
8. **PUBLIC HEARINGS**
 - A. **CONTINUED FROM APRIL 15, 2020** – PUBLIC HEARING to Consider application from Mequon II, LLC, represented by John & Karen Freeman, for a Conditional Use Permit for Double Eagle Self-Storage to be located at the Southeast Corner of 4th Street and Myers Avenue (Lots 1-4, Block 1, Arcadia Heights); Bill Gray, Planning & Community Development Director. Gray began his presentation of the Staff Report online via WEBEX. His system locked up and Gray moved into Council Chambers to present from the dais in person. Approximately 10 minutes into his presentation City Attorney Smith interrupted stating she had not been able to hear most of what Gray had said since sitting down at the dais. The microphone was moved closer to Gray and he presented the Staff Report again from the beginning so that anyone attending in person or online was able to hear him clearly. Gray reviewed the format and steps of the Public Hearing along with multiple slides corresponding to the location, site plan, color scheme of the units, screening and revisions to conditions #4, #8, #9, #10 and #14. Following the presentation he stated Staff received no comments and was recommending the application be conditionally approved as presented. John Freeman, Mequon II, LLC representative, made a short presentation and responded to questions from Council. Mayor Ashworth called for public comment and there was no one present in person or online wanting to address the matter. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Rozell to close the floor to public comment. Motion carried unanimously. The City Council deliberated reviewing the conditions of approval and voiced general consensus with all conditions including the changes proposed to conditions #4, #8, #9, #10 and #14 as were reviewed by Gray. City Attorney Smith requested John Freeman's verbal approval of the proposed changes and Freeman did verbally state that he was in agreement with each. **MOTION** by Councilwoman Rozell and seconded by Councilwoman Trenary to approve the application from Mequon II, LLC for a Conditional Use Permit for Double Eagle Self-Storage to be located at the Southeast Corner of 4th Street and Myers Avenue (Lots 1-4, Block 1, Arcadia Heights) subject to the following conditions:
 1. The name of the storage business is Double Eagle Self-Storage. The storage business is limited to providing off-site storage for only Double Eagle Resorts, Inc.

2. The conditional use is issued to Mequon II, LLC, and storage is solely for Double Eagle Resorts, Inc.
3. A storage agreement is required between the Applicant and Double Eagle Resorts, Inc.
4. The conditional use is non-transferrable. Sale of Double Eagle Resorts, Inc. (the property where the hotel/casino, parking garage and surface parking lot) shall trigger automatic termination of the conditional use permit and the restoration of the site to a range land character, similar to the current condition of the landscape east of the granite cut. The reclamation of the site is required to be completed within 90-days of termination.
5. The maximum number of cargo containers permitted as storage units is ten (10).
6. A surveyed or detailed site plan is required that shows property lines, site features (i.e. flat bench area, trench, etc) access drive, and storage units. Field verifying property lines, setbacks and building placement with City Staff may replace the requirement for completing a land survey of the property.
7. The minimum width of the access drive from 4th St and to access individual storage is 14'. The driveway shall be an all-weather gravel surface.
8. The cargo containers are painted an environmental color. The recommended color is Carlsbad Canyon Brown or Covert Green. Painting of the cargo containers is required to be completed before they are moved to the storage facility site.
9. A building permit is required to be issued for the cargo containers prior to any additional site work commencing. The permit will require a plot plan and estimated value of work. The purposed of the permit is to ensure city inspection(s) are completed for compliance with development standards and requirements of the conditional use permit.
10. The cargo containers shall be screened by an artistic mural. The mural is required to have a historic mountain mining town theme and the design approved by City Council. Completion of the mural is to occur on or before September 30, 2021.
11. Annual maintenance of the mural is required to ensure its long term appearance and durability.
12. A landscape plan that addresses slope stability and revegetation is required. At minimum, the slope will require top soil, erosion control matting, seeded with native grasses appropriate to our region and routine irrigation.
13. No exterior lighting is permitted. Access to the storage unit is during daylight hours only.
14. The site shall be secured at all times (locked cargo containers).
15. All storage must be inside the storage units. No outside storage is permitted.
16. The use must be maintained in an orderly manner with no junk, trash or debris.
17. Any revision or change to the conditions requires City Council approval. Failure to comply with any of the conditions shall be reason for revocation of the conditional use. Any revocation shall require a hearing before City Council.

and for Staff to bring an associated Resolution of approval back to the City Council to consider at a future meeting. Motion carried unanimously.

9. NEW BUSINESS:

- A. Consider approval of Resolution 2020-10 inserting a new Section XI and renumbering subsequent sections in the FTA/FMSCA Drug & Alcohol Policy for the City of Cripple Creek; Carol Stotts, HR & Risk Management Director. Stotts presented reviewing the Staff Report and recommended approval of Resolution 2020-10 as presented. Councilwoman Rozell inquired for clarification if the policy applied only to Commercial Driver Licensed (CDL) employees. Stotts replied it did and those employees were typically in the Public Works and Transit Departments. Councilman Litherland inquired if testing for marijuana was included. Stotts replied marijuana was considered a controlled substance and a positive test would be considered a violation. **MOTION** by Mayor Pro Tem Litherland and seconded by Mayor Ashworth to approve Resolution 2020-10 inserting a new Section XI and renumbering subsequent sections in the FTA/FMSCA Drug & Alcohol Policy for the City of Cripple Creek as presented. Motion carried unanimously.

10. ADJOURNMENT – There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 6:42 PM

APPROVED:


Milford Ashworth, Mayor

ATTEST:


Janell Sciacca, City Clerk



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**REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, JUNE 3, 2020 – 5:30 PM
IN PERSON AND ONLINE VIA WEBEX**

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland and Councilmembers Charles Solomone, Meghan Rozell (online), and Melissa Trenary (online – joined after roll call due to connection issues). Staff present were City Clerk Janell Sciacca, City Attorney Erin Smith (online), Interim Administrator / Finance Director Paul Harris, Police Chief Charles Bright (online), Dispatch Supervisor Diann Pritchard (online); HR & Risk Management Director Carol Stotts (online); Ted Schweitzer, Transportation Director (phone), Planning & Community Development Director Bill Gray, Marketing & Events Director Jeff Mosher, and Public Works Director Steve DiCamillo (phone).
4. **APPROVAL OF MINUTES**
 - A. May 20, 2020 Regular Meeting – **MOTION** by Mayor Pro Tem Litherland and seconded by Councilman Solomone to approve the minutes of the May 20, 2020 Regular Meeting as written. Motion carried unanimously (*Councilwoman Trenary did not vote on this item as she had to reboot and rejoin the meeting*).
5. **PUBLIC COMMENT** – County Assessor Colt Simmons provided a quarterly update on assessments and stated the County is overall in good health. Simmons advised that an initiative was being proposed to repeal the Gallagher amendment. If the matter is submitted to the voters in the fall it would require a constitutional amendment. He also advised the County Courthouse is slowly reopening from the COVID19 related closure.
6. **REPORTS**
 - A. Interim Administrator/Finance Director – Harris announced the City received a \$15,000 grant from Newmont to offset direct COVID-19 related costs. The City worked with Teller County on variance requests for the Casinos to reopen, and with a new amendment that was submitted today removing all table games, he was hopeful for approval to reopen prior to Blackhawk & Central City. Harris also announced Teller County will receive \$2.2 million in CARES funding and the cities and County will meet soon to begin dialogue on how that money is to be allocated. He also reported the City submitted a letter of support for a variance for the Cripple Creek & Victor Narrow Gauge Railroad and the City would be submitting variances next week for the Heritage and Jail Museums in conjunction with the District Museum and Homestead House.
 - B. Public Works Director Update on Bennett Avenue Project – DiCamillo provided an update via phone advising the secondary \$500,000 grant the City was after from CDOT would not be able to be used for the Bennett Avenue Project due to timing of signing of the IGA. However, CDOT will roll the funds to the TAP grant for Galena sidewalks which should mean the City would have no out of pocket expense on that project which is set to move forward next spring. Bennett Avenue is 95% complete and the walk through for the final punch list was completed yesterday. There are few things outstanding such as curb and asphalt, but overall the project went very well, was completed on-schedule and possibly under budget.
7. **PRESENTATIONS, UPDATES & OTHER REPORTS**
 - A. Newmont Cripple Creek & Victor Gold Mine Operational Update; Melissa Harmon, General Manager and Justin Raglin, External Relations Manager. Harmon introduced herself stating she started in Cripple Creek in February but has been with Newmont for 20 years. Harmon reviewed a Powerpoint presentation providing information on mine planning and operations through 2027. Current mine life is

2027 with processing through 2036 and reclamation and closure in 2042. Raglin reviewed the scope of Amendment 13 which would allow mining/processing after 2024. He also discussed concurrent reclamation efforts and Newmont's Community Support Fund contributions totaling over \$550,000. The Council thanked Harmon and Raglin for their presentation and also for their support of Teller County and the Cripple Creek community.

- B. Presentation of "Streeteries at The Creek" proposed temporary program for restaurants, bars and retail stores to operate in outdoor settings; Bill Gray, Planning & Community Development Director & Jeff Mosher, Marketing & Events Director. Gray presented an overview of the proposal in the packet. At approximately 6:08 PM Councilwoman Rozell interrupted stating that she could not hear any part of the presentation by Gray and would not be voting on this item. She announced that she was leaving the meeting and would not be voting any subsequent business items either. Gray continued but at 6:10 PM City Attorney Smith announced that viewers online still could not hear Gray's presentation. Mosher spoke briefly and stated the feedback received from the business community was positive. Sound quality issues continued and after repeated unsuccessful attempts to reestablish the sound for online viewers, Gray and Mosher ended the presentation with no vote being taken on the matter and general support of the concept by Councilmembers still participating in the meeting online and in person.

8. **NEW BUSINESS**

- A. Consider approval of Resolution 2020-11 approving the application for the Double Eagle Self-Storage Conditional Use Permit in the BB-Neighborhood Mixed Use Zone District at certain real property described as Lots 1-4, Block 1, Arcadia Heights, 401 E. Warren Ave, Cripple Creek, Colorado; Bill Gray, Planning & Community Development Director. Gray presented stating Resolution 2020-11 ratifies the Council's May 20, 2020 decision to approve the Double Eagle Conditional Use Permit capturing the conditions applied to the recommendation at the Public Hearing. He recommended approval. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilman Solomone to approve Resolution 2020-11 approving the application for the Double Eagle Self-Storage Conditional Use Permit in the BB-Neighborhood Mixed Use Zone District at certain real property described as Lots 1-4, Block 1, Arcadia Heights, 401 E. Warren Ave, Cripple Creek, Colorado as presented. Motion carried unanimously.
- B. Consider approval of Resolution 2020-12 approving a contract with the State of Colorado Department of Transportation for CARES Act funding to prevent, prepare for, and respond to COVID-19; Ted Schweitzer, Transportation Director. Schweitzer presented by phone stating the grant amount is \$62,073 with no match and is 100% reimbursable through the CARES Act. He added the 5311 Administration Grant will be put on hold until this money is expended. Harris clarified the grant is 100% funded. Schweitzer agreed adding the 5311 grant is a 80/20 match on the admin end and 50/50 on the operation end but this is 100% funding. **MOTION** by Mayor Ashworth and seconded by Councilman Solomone to approve Resolution 2020-12 approving a contract with the State of Colorado Department of Transportation for CARES Act funding to prevent, prepare for, and respond to COVID-19 as presented. Motion carried unanimously.


9. **ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 6:25 PM

APPROVED:



Milford Ashworth, Mayor

ATTEST:



Janell Sciacca, City Clerk



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**REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, JUNE 17, 2020 – 5:30 PM
IN PERSON AND ONLINE VIA WEBEX**

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland and Councilmembers Charles Solomone and Meghan Rozell. Councilwoman Melissa Trenary joined the meeting online via Webex at 5:34 PM. Staff present were City Clerk Janell Sciacca, City Attorney Erin Smith (online), Interim Administrator / Finance Director Paul Harris, Public Works Director Steve DiCamillo, Marketing & Events Director Jeff Mosher and Planning & Community Development Director Bill Gray.
4. **APPROVAL OF MINUTES**
 - A. June 3, 2020 Regular Meeting – **MOTION** by Mayor Pro Tem Litherland and seconded by Councilman Solomone to approve the minutes of the June 3, 2020 Regular Meeting as written. Motion carried with Councilwoman Rozell abstaining due to the fact she was not present online for the entire meeting and Councilwoman Trenary did not vote as she had not yet connected online.
5. **PUBLIC COMMENT** – Shannon Taylor, Commander of Cripple Creek American Legion Post 171, introduced herself to the Council. She reviewed the structure of the membership and Gold Camp coalition along with its goal of promoting the not-for-profit community. Taylor stated the group was willing to work very hard with City Staff and do anything Jeff Mosher asks of them. They would like to see something like 16th Street in Denver, Ice Cream Socials or other events to earn money and put money back in the community. Annie Durham, 309 Aspen Street, member of Teller County Marksmanship and Self Defense Group which is a member of the Gold Camp Coalition. She encouraged the Council to establish a working relationship with the Coalition to salvage what is left of the economic opportunities associated with summer for the community. She suggested a meeting to develop a working relationship to move forward to mitigate the economic damage caused by COVID-19.
6. **REPORTS**
 - A. Interim Administrator/Finance Director – Harris reported that Teller County Board of Health approved the City's variance to open its museums and included the other area museums. The Board of Health also granted approval for libraries to open. Harris then reported he and Mayor Ashworth attended a meeting with Teller County regarding CARES Act Funding. Approval of an agreement would be needed prior to July 7 so he advised a special meeting might be necessary. Harris then reported that Casinos opened Monday, June 15, and initial discussions indicated Casino owners were happy with the numbers
7. **PRESENTATIONS, UPDATES & OTHER REPORTS**
 - A. Update regarding 2020 Salute to American Veteran's Rally scheduled for August 21-23, 2020; Jim Wear, Pro Promotions President. Wear distributed a packet of letters that were sent to the Teller County Commissioners from various groups supporting the 2020 Rally. He read from a prepared statement stating Pro Promotions had been working on the rally diligently since January. In early May he contacted the City Marketing & Events Department and was told the funding for 2020 was still intact. About one week ago he inquired again and was told the line item had been deleted but that there was a line item designated as Special Events with \$30,000 in it and they were appearing to ask the City Council earmark that money for the rally. Wear advised that the rally organizers had actively been communicating with Teller County throughout the COVID-19 situation and there was a very strong chance the event would be permitted as scheduled in August with restrictions and additional expenses. The current funding would be a reduction which was expected, and they were hopeful there would still be support from the casinos. Regardless of funding and possible projected losses, the group remains firmly dedicated to executing

the 2020 event which is needed strongly now more than ever for Veterans and all Americans to experience camaraderie and a good, positive, pro American event. Wear formally requested the City commit \$30,000 to the Veterans' Rally contingent upon it receiving approval by the City and County. He thanked the City for its support of the event over the past 10 years. Rozell asked Staff to address the funding available. Mosher stated that this year the City pooled all the events money in to one line item and then allocated it as specific events occurred. Every event was hit with a cut or a removal and the only actual events kept on the books were Donkey Derby Days, the Vet Rally, Toys for Tots and 4th of July which was funded previous to COVID. Councilwoman Rozell stated her position was that at this time it was not appropriate for Council to commit to any specific event. Mosher stated it wasn't until this week that Staff broke down possible funding with \$28,500 for the Rally and \$15,000 for Donkey Derby Days. Councilman Litherland inquired the last date would be for the Rally organizers to make a decision on whether or not the event would happen. Wear replied July 24, but cautioned that could change up to days before due to uncertainty. He requested commitment from the City to dedicate \$28,500 for the Rally on the contingency it is approved by everybody and can move forward. Mosher inquired what Wear's concept was on what the event would look like. Wear replied he was not prepared to do a full report and was under the understanding the City would be ok with anything approved by the County. Mosher stated he was just asking if the event would look like it has in the past with social distancing in place or just a ride through town. Wear replied the only real difference would be no Vietnam Wall, vendors would be spaced out and there would not be a Beer Garden but use of the entire street along with hand sanitizing stations, etc. He stated they still planned on filling the streets with thousands of people in town. He added the Teller County team was confident it could be approved as it was an outside event and they could comply with requirements. Wear stated that if the event was not executed the organizers did not expect a dime from the City. Councilwoman Trenary agreed the event celebrates patriotism and felt it should move forward. City Clerk Sciacca announced an online question from a viewer inquiring what the City and businesses would be getting for its money. Wear stated they would be bringing 20,000-30,000 people to town but there would be no Wall due to the expense. He added that the organizers were aware the City was "dead in the water" since March 15 and they appreciated what the City was dedicating to the event. Councilman Litherland asked if the ceremony held in the City park could be moved to the School to help with social distancing. Wear replied it was possible and they were planning on spacing chairs out for the VIPs but he didn't know how they could regulate spectators to follow social distancing guidelines. Following additional discussions regarding social distancing, the City Council generally agreed to give consent for the Rally to move forward and would allocate the \$28,500 in funds contingent upon approval by Teller County. Wear requested approval in writing for presentation to Teller County.

8. NEW BUSINESS

- A. Consider approval of Resolution 2020-13 waiving Gaming Device Fees for June 1 thru June 14, 2020; Paul Harris, Interim City Administrator / Finance Director. Mayor Ashworth advised item 8A was being postponed to the first meeting in July.
- B. Consider request from FHR Colorado, LLC to release Bronco Billy's Hotel & Casino Redevelopment Project Performance Bond; Bill Gray, Planning & Community Development Director. Gray presented an overview of the request by FHR to release the bond that was put into place at the time of project approval for the Hotel & Parking Garage project. The original Development Agreement required a Bond to secure improvements associated with the project. Unfortunately, COVID has significantly affected FHR and brought Phase I to a halt. He stated FHR is fully committed to completing the project but the timing will be different due to the impacts. Gray felt it was important to be supportive in the current environment but stressed that releasing the Performance Bond was a serious decision as it was the City's protection from FHR walking away. He stated FHR would make their case and if supported by Council Staff would need direction to prepare an amended Development Agreement, reduce the bond to no less than \$150,000, require a 6 month project review along with replacement of full Performance Bond when construction resumes. Ashworth inquired what the amount of the current Bond was and Gray replied approximately \$700,000. Gray introduced Dan Lee, President of FHR-Colorado, LLC. Lee stated FHR still intended to build the project but COVID-19 and other circumstances changed their plans. Bronco Billy's reopened Monday and things were looking good but hopefully there wouldn't be a second wave. Lee reviewed some of the items to be secured by the original bond that were not applicable at the time and then advised that the construction contractor proposed making improvements to the parking area allowing it to be used for temporary parking but also grading it to the level it would need to be graded to for the parking garage. It will be covered with crushed gravel, lighting

will be installed and it will be made safe for customers. Councilwoman Rozell stressed the importance of the bond and inquired where FHR was in the original timeline prior to COVID and what assurance the City would have that the project everyone was so excited about would be completed. Lee replied the bond was never there to ensure completion but rather to restore the property if the project was not done. The project was to be completed by 2021 but is unlikely. Lee stated he is not currently seeking to change that timeline and reducing the bond helps their financial footing to obtain the funding to complete the project. Mayor Ashworth inquired what the estimated completion date of the proposed parking improvements would be. Lee replied they would go as fast as they could but hoped for July 4. After additional discussion related to what improvements the \$150,000 would secure, Councilwoman Trenary inquired if the released funding would be staying in Cripple Creek or spread to other communities. Lee replied FHR was down streaming money to its properties for the past three months to make ends meet and they hoped they were starting to make money but would have to see what happened. Trenary stated her concern was for the people of Cripple Creek and she just wanted to make sure the local employees were taken care of if possible. Councilwoman Rozell stated she was nervous and really didn't want her heart to be broken. She wanted to see the project complete. Rozell then suggested the motion would be to direct Staff to clarify details in the release the Performance Bond to no less than \$150,000. Gray clarified that the motion should also direct Staff to prepare an Amended Development Agreement to address the reduction of the security to no less than \$150,000, a 6 month project status review and the timing of when the permanent security would come into place. **MOTION** by Councilwoman Rozell and seconded by Councilman Solomone to direct Staff to prepare an Amended Development Agreement temporarily reducing the Performance Bond to no less than \$150,000 which could be secured by a new bond, letter of credit or reduction of the existing bond and incorporating a 6 month project review, a timeline for restoration and any other details that Staff sees fit to incorporate. Motion carried unanimously.

9. **ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 7:01 PM

APPROVED:

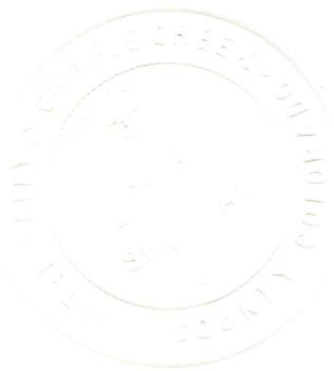


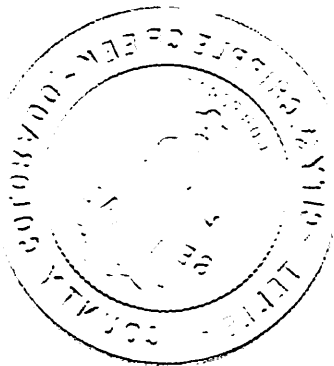
Milford Ashworth, Mayor

ATTEST:



Janell Sciacca, City Clerk







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**REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, JULY 1, 2020 – 5:30 pm
(IN PERSON AND ONLINE VIA WEBEX)**

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland, and Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary (online). Staff present were City Clerk Janell Sciacca, City Attorney Erin Smith (online), Finance Director/Interim City Administrator Paul Harris, Planning & Community Development Director Bill Gray, Marketing & Events Director Jeff Mosher, Historic Preservation and Community Development Coordinator Renee Mueller, Public Works Director Steve DiCamillo and Chief of Police Charles Bright (online).
4. **PUBLIC COMMENT** – Mayor Ashworth reported the passing of lifelong Cripple Creek resident Vernon “Bud” Peiffer noting the significant loss to the community.
5. **REPORTS**
 - A. Interim City Administrator/Finance Director – Harris started out relaying positive comments received from the owner of 222 Carr Avenue complimenting the Public Works team for their hard work and professionalism during a water main repair in that area. He also report he attended a meeting between the County and Casinos to discuss how things were going and challenges and that the gaming industry was moving forward with a variance for table games. Harris concluded his report providing a COVID update, Cripple Creek has 12% of the County's cases, Victor has 5% and the remainder are in Woodland Park or rural Teller County.
6. **PRESENTATIONS, UPDATES & OTHER REPORTS**
 - A. Safer School Zone Presentation; Heike Karr, Cripple Creek Police Department. Officer Karr presented reviewing the PowerPoint Presentation in the packet detailing the recommended safety improvements to signs and street markings. Karr advised that the City and the School are both responsible for the safety of the students and that in a conversation with previous Superintendent Tory Richey, Richey stated the school would split the cost 50/50. Public Works Director DiCamillo felt the costs would be \$7,500-\$10,000. Miriam Mondragon, Interim Superintendent, agreed the changes were needed and stated the School would pay for half. Finance Director Harris felt the costs could be covered out of the contingency line. The City Council provided general consensus for Staff to move forward with the improvements as recommended by Officer Karr and thanked her for observing this. Karr advised this was her last day with the City and that she had accepted a position with Teller County Sheriff's Department.
 - B. Donkey Derby Days Funding for 2020; Two Mile High Club Officers. Curt Sorenson, President, stated he didn't want to discuss the budget reductions and the Club understood the City's position, but felt that its funding should be increased in the same manner as was approved for the Salute to American Veteran's Rally on June 17. The Club was contesting that they received a 50% reduction while Pro Promotions only received a 29% reduction. If Donkey Derby Days did not go on as planned they would be requesting \$18,600 plus an additional \$5,000 with any remaining money left over to be held in reserve for next year. Following discussions regarding what Donkey Derby Days might look like if it did move forward along with Sorenson detailing the Club's different fundraising activities, Mayor Pro Tem Litherland stated his concern the Council was setting a bad precedent if it reduced the amount of funding for the Rally after granting it to them just two weeks ago. Councilman Solomone clarified that the Council didn't grant any money and instead committed funding if the Rally was pulled off but if they don't for any reason they don't get a penny. Litherland added that if the Rally didn't happen then he had no problem providing additional funding for the Two Mile High Club. Finance Director Harris stated that in Staff's last conversation with the Club \$15,000 would be adequate due to the reduced event scope. It wasn't until after the Rally meeting the request for additional funding came up. He felt there should be a discrepancy in funding due to the scale of the two different events. Ashworth clarified the big difference is that Two Mile High Club would still get money regardless if Donkey Derby Days went forward. Marketing and Events Director Mosher clarified the funding request process stating a budget supports a request and any decision is based on that information and not that it's not fair. Mayor Ashworth then stated this item needed to be tabled in order for Staff to meet with the Two Mile High Club and discuss the profitability of holding the event versus not holding the event.
7. **NEW BUSINESS**
 - A. Consider approval of nominations and appointments for Mt. Pisgah Cemetery and Historic Preservation Commission; Renee Mueller, Planning & Historic Preservation Coordinator. Mueller presented reviewing the Staff Report in the packet. She recommended approval of the


reappointments and appointments as presented. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Trenary to appoint Dixie Clare to the Historic Preservation Commission for a 2-year term expiring 3/2022. Motion carried unanimously. **MOTION** by Councilwoman Rozell and seconded by Councilman Solomone to approve the Historic Preservation Commission reappointments as recommended. Motion carried unanimously. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Rozell to approve the appointment of Bill Stankiewicz to the Mt. Pisgah Cemetery Board for a 2- year term expiring 12/2020. Motion carried unanimously. **MOTION** by Mayor Pro Tem Litherland and seconded by Mayor Ashworth to approve the reappointment of Steve Zoellner to the Mt. Pisgah Cemetery Board for a 1-year term expiring 12/2021. Motion carried unanimously.

- B. Consider approval of 2020 Historic Preservation Grant Awards; Renee Mueller, Planning & Historic Preservation Coordinator. Mueller presented reviewing the Staff Report in the packet. She recommended approval of the Residential, Commercial and Public/Non-Profit grant awards as presented. **MOTION** by Councilwoman Rozell and seconded by Councilman Solomone to approve the Historic Preservation Grant Award recommendations as presented in the Staff Report – Commercial Grant of \$16,244 for the St. Nicholas Hotel at 303 N. Third Street/233 E. Eaton; Public/Non-Profit Grant of \$1,440 for the Old Homestead Museum at 353 East Myers; and Residential Grant of \$3,650 for Gary & Diana Baker at 400 E. Eaton. Motion carried unanimously.
- C. Consider approval of amended Development Agreement with FHR Colorado, LLC for Bronco Billy's Hotel & Casino Redevelopment Project for reduction of Performance Bond; Bill Gray, Planning & Community Development Director. Gray introduced reminding this was being presented as directed by Council. The Agreement was reviewed and approved in form by the City Attorney as well as Full House Resorts. Gray noted General Manager Baxter Lee was in attendance and stated the agreement memorialized the rationale for the Council decision to reduce the Performance Bond down to no less than \$150,000. He recommended the First Amendment to the Development Agreement as presented. Councilwoman Rozell inquired if there was an end date and Gray stated there is a requirement for Full House to come back to the City in 6 months and the trigger for returning the full Performance Bond is the commencement of Phase 1 construction and the December 30, 2021 deadline remains for full completion. **MOTION** by Mayor Ashworth and seconded by Mayor Pro Tem Litherland to accept the First Amendment to the Development Agreement with FHR Colorado, LLC as presented. Motion carried unanimously.
- D. Consider approval of Resolution 2020-13 waiving Gaming Device Fees for June 1 thru June 14, 2020; Paul Harris, Interim City Administrator / Finance Director. Harris reminded that the City has been waiving device fees since the Casinos closed in March. If approved, the waiver will total \$145,495 with a total amount waived to date of \$762,062. Harris stated this was very generous on the City's behalf and added the fees of \$166,307 for the remainder of June would be assessed and spread out in payments over the 3rd quarter. **MOTION** by Mayor Ashworth and seconded by Councilwoman Trenary to approve Resolution 2020-13 waiving Gaming Device Fees for June 1 thru June 14, 2020 as presented. Motion carried unanimously.
- E. Consider approval of CARES Act Collaboration Agreement between Teller County, Woodland Park, Cripple Creek and Victor; Paul Harris, Interim City Administrator/Finance Director. Harris reminded Council he sent them the final version yesterday and then summarized the State of Colorado received 1.6 billion in CARES funding and set aside \$275 million to go to cities and counties which is administered through the counties. All parties have to sign an agreement regarding the use of funds. He noted on page 2 in Section 1. CVRF Funding Allocation, that Teller County received \$2,177,693 and the allocation method agreed on was based on population from the state demographer's office with the City receiving 4.86% or \$105,849. Harris reviewed Section 2. Cooperation Agreement detailing expenses covered and noted Woodland Park elected not to participate in the agreement and instead take the money and go its separate way. **MOTION** by Mayor Ashworth and seconded by Councilwoman Rozell to approve the CARES Act Collaboration Agreement between Teller County, Woodland Park, Cripple Creek and Victor as presented. Motion carried unanimously.

Marketing & Events Director Jeff Mosher addressed the Council advising that the City is taking unexpected negative press due to the fact the Casinos are not allowing families to dine in their establishments and instead save seating for casino patrons. He requested Council approval to use the City parking lot across from City Hall to offer space for food trucks. The City is also having restroom problems and will be bringing in 10 porta-johns for the next few months in different locations. He felt visitors were not aware of the situation the Casinos were in but this should help alleviate the problem. Following minimal discussion, the Council directed Staff to move forward.

- 8. **ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 7:01 PM

APPROVED:


Milford Ashworth, Mayor

ATTEST:


Janell Scacca, City Clerk



CRIPPLE CITY COUNCIL SPECIAL MEETING MINUTES
TUESDAY, JULY 21, 2020
4:00 PM
(In Person and Online Via Webex)

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, CO 80813

1. **CALL TO ORDER** – Mayor Pro Tem Litherland called the Special Meeting to order at 4:01 PM having previously been noticed in accordance with Colorado Open Records Law.
 2. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Pro Tem Tom Litherland and Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary (online). Mayor Milford Ashworth was absent. Staff present were City Clerk Janell Sciacca, Finance Director Paul Harris, Chief of Police Charles Bright, and HR & Risk Management Director Carol Stotts
 3. **NEW BUSINESS**
 - A. Consider approval of Temporary Employment Agreement with Ray White as Interim City Administrator; Carol Stotts, HR & Risk Management Director.Mayor Pro Tem Litherland introduced and turned the floor over to Stotts who reported that following direction from the Council she and Interim Administrator / Finance Director Harris reached out to former Administrator Ray White regarding interest in serving as the Interim Administrator. White did agree to do so and the Employment Agreement presented was similar to past agreements. White would start Tuesday, July 28, working 3-8 hour days Tuesday thru Thursday and he would also attend Council Meetings and other events as required. The agreement provides for up to 29 hours/week with a term ending March 31, 2021. Councilwoman Trenary pointed out a typo in 3. Term., the third line down should read “provided in Section 6.” Stotts advised she would make that correction. **MOTION** by Councilwoman Rozell and seconded by Councilman Solomone to approve the Temporary Employment Agreement with Ray White as Interim City Administrator with the one correction as noted. Motion carried unanimously.
- Litherland thanked Staff for their efforts over the past months during the COVID pandemic. White addressed the Council thanking them for the opportunity, even though it is a challenging time. He felt it would be an easy transition and appreciated the Council’s confidence in him.
4. **ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Pro Tem Litherland adjourned the meeting at 4:08 PM.

APPROVED:

ATTEST:

Tom Litherland, Mayor Pro Tem

Janell Sciacca, City Clerk



CRIPPLE CITY COUNCIL SPECIAL MEETING MINUTES
THURSDAY, JULY 23, 2020
4:00 PM
(in Person and Online Via Webex)

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, CO 80813

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE** – Mayor Ashworth called the Special Meeting to order at 3:59 PM having previously been noticed in accordance with Colorado Open Records Law and then led the Pledge of Allegiance.
2. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland and Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary (online). Staff present were City Clerk Janell Sciacca, Interim City Administrator Ray White, City Attorney Erin Smith (online), Marketing & Events Director Jeff Mosher, Finance Director Paul Harris, Chief of Police Charles Bright, Interim Fire Chief Ryan Lohmeier (online), Parks & Recreation Director Connie Dodrill (online), Heritage Tourism Manager Michelle Rozell and Heritage Tourism Assistant Ellen Moore.
3. **NEW BUSINESS**
 - A. Consideration of the Salute to American Veterans Rally scheduled for August 21-23, 2020; Milford Ashworth, Mayor.
Mayor Ashworth introduced the discussion and format for public input and then opened the floor to public comment.

The following persons spoke in opposition to cancellation of the Veterans Rally:

Ray McPeck, Peyton, CO
Stu Sacks, Peyton, CO
Rich Ingold, Cripple Creek, CO
Jim Wear, Monument, CO
Miki Freeman, Cripple Creek, CO
Dean Noechel, Colorado Springs, CO

The following persons spoke in favor of cancellation of the Veterans Rally:

Ellen Moore, Cripple Creek, CO
Michelle Rozell, Woodland Park, CO

The following person was neutral on cancellation of the Veterans Rally:

Curt Sorenson, Cripple Creek, CO

Mayor Ashworth closed to the floor to public comment and stated the City would not be addressing reimbursement of expenses regarding the Rally. This was about public health and the financial welfare of the City of Cripple Creek. Casinos are 70% of the budget and if they were to be shut down again every employee for the City would have to be laid off except for essential services such as Police and Fire. This is about survival of Cripple Creek. Mayor Pro Tem Litherland asked citizens to put themselves in the Mayor and Councils' spots. Each was elected to represent the community and protect the health and welfare of Cripple Creek. If the City was to be closed down again, the community would be doomed. Councilwoman Trenary stated the community managed July 4 as well as opening week of the Casinos with no issues and that if everyone was concerned about COVID coming in from a visitor then the City needed to tell them to stay home as well. She was comfortable with the scaled-down rally and felt the situation was controllable and not a serious health threat to the community. Councilman Solomone stated the Country, County, City and State needed to recognize how real the situation is and react accordingly. Councilwoman Rozell

stated she didn't want to have to have this discussion and she had stayed neutral on the matter, but since the earlier meeting the case numbers have increased in the County. What she could not stand to see would be the City funding and event and it impacting the Casinos with another closure. She also spoke to Casinos who have veterans that are employees and another closure would hugely impact both them and the City. It is not a matter of veteran vs. non-veteran, she supported the event as a granddaughter of a veteran and would like to see it continue long term, but just not this year. Rozell encouraged them to come back next year with the best celebration possible. She had to stand by her oath to the community. **MOTION** by Councilwoman Rozell and seconded by Mayor Pro Tem Litherland to cancel the 2020 Salute to American Veterans Rally. Motion carried 4 to 1 with Councilwoman Trenary voting No.

4. **ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Pro Tem Litherland adjourned the meeting at 4:38 PM.

APPROVED: 

Milford Ashworth, Mayor

ATTEST:


Janell Sciacca, City Clerk



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**CRIPPLE CITY COUNCIL REGULAR MEETING MINUTES
WEDNESDAY, AUGUST 5, 2020
5:30 PM (ONLINE VIA WEBEX)**

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the Regular Meeting to order at 5:30 PM having previously been noticed in accordance with Colorado Open Records Law.
2. **PLEDGE OF ALLEGIANCE & INVOCATION** – Mayor Ashworth led the Pledge of Allegiance and no invocation given.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland and Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary (online). Staff present were City Clerk Janell Sciacca, City Attorney Erin Smith, Finance Director Paul Harris, Transportation Director Ted Schweitzer, Chief of Police Charles Bright, Planning & Community Development Director Bill Gray, and Marketing & Events Director Jeff Mosher.
4. **APPROVAL OF MINUTES**
 - A. July 1, 2020 Regular Meeting
 - B. July 15, 2020 Regular Meeting
 - C. July 23, 2020 Special Meeting

MOTION by Mayor Pro Tem Litherland motioned and Councilman Solomone seconded to approve the July 1, July 15 and July 23, 2020 meeting minutes as presented. Motion carried unanimously.
5. **PUBLIC COMMENT** – Kathy Friel, 116 E. Carr, requested the City look at the installing a stop sign at the intersection of 1st Street and Carr. Teller County Assessor Colt Simmons provided an update on activities of his office.
6. **REPORTS**
 - A. City Administrator – White advised he would make sure to address the stop sign request of Friel. He reported that he met with Departments Heads last week getting up to speed and the City would be continuing flexibility on Staff schedules maintaining the current 50% occupancy guidelines. He reviewed COVID policies and protocols and felt the City was doing virtually everything possible to avoid an outbreak and he commended Staff for pulling their weight and doing all possible to keep everyone safe. He advised there was no increase in cases in Cripple Creek and no cases linked to the Casino industry while the Countywide number continued to rise. White announced the City would be cancelling the Halloween and Christmas Shows at the Butte as COVID protocols and restrictions made performances unviable. White ended by recognizing Heritage Tourism Director Michelle Rozell for 10 years of service to the City and HR & Risk Management Coordinator Heather Hildebrand for 15 year service.
 - B. Finance Director – Harris provided an update on COVID numbers with Teller currently reporting 121 cases which is up 4 from yesterday and up 80 cases from July 3. Cripple Creek & Victor are doing well with only 8 and 2 cases respectively. He thanked the Casino and businesses for doing a tremendous job. While numbers were increasing, he felt strongly the variance for Casinos would stay in place.
7. **PRESENTATIONS, UPDATES & OTHER REPORTS** – None.
8. **NEW BUSINESS**
 - A. Consider approval of Resolution 2020-15 approving State of Colorado Subaward Grant Agreement 21-HTR-ZL-03265 for project 2020-531 1: Two (2) 30' ADA Gas Bus Replacements in the amount of \$278,995.00; Ted Schweitzer, Transportation Director. Schweitzer presented reporting the request was for approval of an agreement with CDOT for bus replacements. He understood there was no funding in place due to budget cuts, but stated the agreement is good through December 31, 2022. This will replace the older 4-wheel drive buses which both have over 100,000 miles on them and he was seeking approval to sign the agreement and get it on the shelf. Rozell inquired if Harris and White were comfortable with the concept. White replied he was and this was only a placeholder and if not executed by the end date the money would roll back to State. He added the agreement locks in the funding which is available now and might not be in future. Harris added that the City was hopeful the City would see an increase in revenues and things returning to normal so the City could purchase the buses in 2021 or 2022. Rozell clarified the difference in amounts showing on the agenda versus the Resolution and Clerk Sciacca clarified the agenda shows the total award amount including the City's local match. There were no questions or public comment. **MOTION** by Councilwoman Rozell and seconded

by Mayor Pro Tem Litherland to approve Resolution 2020-15 approving a State of Colorado Subaward Grant Agreement 21-HTR-ZL-03265 for project 2020-531 1: Two (2) 30' ADA Gas Bus Replacements in the amount of \$278,995.00 (\$223,196 grant and \$55,799 local match) as presented. Motion carried unanimously.

- B. Consider approval of Revocable License Agreement with Wildwood Casino for Joe's Diner Deck; Bill Gray, Planning & Community Development Director. Gray presented reminding Council of the July 15 presentation and their conditional approval and direction to Staff to prepare the agreement. The deck was reviewed and approved by Public Works within the right-of-way and the applicant has agreed to conditions of approval. The agreement was also reviewed by the City Attorney and CIRSA and both recommended approval. Staff also recommended approval of the document as included in the packet. There were no questions or public comment. **MOTION** by Councilwoman Rozell and seconded by Mayor Ashworth to approve the Revocable License Agreement with Wildwood Casino for Joe's Diner Deck as presented.
- C. Consider approval of Intergovernmental Agreement with Teller County Clerk & Recorder for 2020 General Election; Janell Sciacca, City Clerk. Sciacca presented stating this was another step toward the fall election following the formal intent of participation letter approved at the previous meeting. She reviewed the divisions of responsibilities, some important upcoming deadlines, the cost estimate of \$2,034.00 and then recommended approval to allow her to execute the agreement as presented. There were no questions or public comment. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Trenary to approve the Intergovernmental Agreement with the Teller County Clerk & Recorder for 2020 General Election as presented. Motion carried unanimously.
9. **EXECUTIVE SESSION** pursuant to C.R.S. § 24-6-402(4) subsection (e) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; and subsection (b) for a conference with legal counsel for the purpose of receiving legal advice on specific legal questions; all related to Pro Promotions' request for reimbursement. **MOTION** by Councilwoman Rozell and seconded by Mayor Pro Tem Litherland to adjourn to executive session pursuant to C.R.S. § 24-6-402(4) subsection (e) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; and subsection (b) for a conference with legal counsel for the purpose of receiving legal advice on specific legal questions; all related to Pro Promotions' request for reimbursement. Motion carried unanimously. City Attorney Erin Smith had City Clerk Sciacca briefly explain how citizens could reconvene the commencement of the meeting and then the Webex session for the Regular Meeting was terminated at 5:54 PM.

10. **ADDITIONAL NEW BUSINESS**

- A. Consider request for reimbursement from Pro Promotions for 2020 Salute to American Veteran's Rally Expenses; Jeff Mosher, Marketing & Events Director. The Webex commencement of the Regular Meeting was initiated at 6:24 PM and City Attorney Smith announced the Executive Session was conducted with the entire City Council, herself, City Administrator Ray White, Finance Director Paul Harris, Marketing & Events Director Jeff Mosher as present. She requested that if any of the participants believed that any substantial discussion of any matters not included in the motion occurred or if any improper action occurred in violation of the Open Meetings law state his concern. There were no concerns stated. Mayor Ashworth announced the business item and Marketing and Events Director Mosher stated he had received a request from Pro Promotions on July 23 for reimbursement of expended funds following the Council decision to cancel the Salute to American Veterans Rally. He received an updated request on August 3 and Staff did make recommendations. He announced the Council could approve the entire amount, approve a partial amount, deny the request or table it for future discussion and decision. There was no additional comment. **MOTION** by Councilwoman Rozell and seconded by Councilman Solomone to table the item to the October 7, 2020 Regular Council meeting. Motion carried unanimously.
11. **ADJOURNMENT** - There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 6:27 PM.

APPROVED:


Milford Ashworth, Mayor

ATTEST:


Janell Sciacca, City Clerk



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**CRIPPLE CITY COUNCIL REGULAR MEETING MINUTES
WEDNESDAY, AUGUST 19, 2020**

4:30 PM – WORK SESSION HELD FOR PRESENTATION OF 2019 AUDITED FINANCIAL STATEMENT BY RUBINBROWN, LLP (IN PERSON AND ONLINE VIA WEBEX)

5:30 – REGULAR MEETING (IN PERSON AND ONLINE VIA WEBEX)

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the Regular Meeting to order at 5:30 PM having previously been noticed in accordance with Colorado Open Records Law.
2. **PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland and Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary. Staff present were City Clerk Janell Sciacca, City Attorney Erin Smith (online), Finance Director Paul Harris, Planning & Community Development Director Bill Gray, and Public Works Director Steve DiCamillo.
4. **APPROVAL OF MINUTES**
 - A. July 20, 2020 Special Meeting – **MOTION** by Councilwoman Trenary and seconded by Mayor Pro Tem Litherland to approve the July 20, 2020 Special Meeting minutes as presented. Motion carried unanimously.
 - B. July 23, 2020 Special Meeting – **MOTION** by Councilwoman Trenary and seconded by Councilwoman Rozell to approve the July 23, 2020 Special Meeting minutes as presented. Motion carried unanimously.
5. **PUBLIC COMMENT** – Kurt Huffman, 3978 Mallard Street, Highlands Ranch, and assistant to Representative Mark Baisley, addressed the Council and requested the City's help to keep the Gillette Flats Spring open. Erik Running, 53 Juniper Trail, Woodland Park, noted the materials sent to Council on the Gillette Flats well by email earlier in the week and he also requested the City's help as a sponsoring organization stating it would buy them time to figure out the liability issues. Wendy Sobisky, 509 W. Diamond Ave, Victor, also addressed the Gillette Flats spring and felt the site could be a benefit to both Cripple Creek and Victor as site for visitors and gaming patrons to stop at. Representative Mark Baisley, 1039 Totem Run, Roxborough Park, stated the Gillette spring matter came to his attention almost 2 years ago and he looked into the challenges, spoke to the Colorado Departments of Natural Resources and Transportation to keep the spring open, but now the group was at a point where they needed to work out details on augmentation supply for senior water rights holders downstream as well as liability issues. He supported the request for the City of Cripple Creek to serve as the sponsoring organization and stated he would do what is needed to help keep the spring open. Councilman Litherland inquired who owned the site and Huffman replied it was on CDOT property but DNR regular the water. Mayor Ashworth stated the spring is out of the City's jurisdiction and that the City would have to speak with its Water Attorney before doing anything. City Attorney Smith recommended the presenters provide a letter detailing their specific request(s) so the City could review and investigate and if it was determined there was no exposure or obligation to the City then they could proceed with a letter for the Mayor's signature.
6. **REPORTS**
 - A. City Administrator – White was not in attendance, so no report was given.
 - B. Finance Director – Harris advised there were no expenditure requests or budget transfers.
7. **PRESENTATIONS, UPDATES & OTHER REPORTS** – None.
8. **NEW BUSINESS**
 - A. Consider Approval of Resolution 2020-16 Amending Emergency Meeting Procedures to Permit Holding Quasi-Judicial Hearings; Erin Smith, City Attorney. Smith presented reviewing the purpose of the resolution and stated the option was presented so applicants wanting to schedule a quasi-judicial hearing would have

the option to decide if they were comfortable holding their hearing as part of a virtual meeting and then they would sign the associated waiver if they wanted to go forward. Smith recommended approval to amend the emergency meeting procedures stating now the virtual meetings were working well with the audio and visual being clear and this was no longer the concern it was. Councilwoman Rozell clarified this process was only necessary during a state of declared emergency and any individual would have to sign the waiver being ok with the procedure. Smith replied she was correct. Rozell stated her hesitancy was that the City did the best it could allowing public input under the challenges but felt there were some matters that have come forth that would have been nice to have a in person meeting. Smith replied the Council could also decide which hearing went forth on a case-by-case basis. She suggested an edit to section C. that would read "Council shall authorize the holding of quasi-judicial hearings on a case-by-case basis" and requested Planning & Community Development Director Gray's input. Gray stated he would be fine with the suggested edit and felt the hearings could be held with the technological improvements. Councilwoman Trenary felt the Council need to do what was necessary to keep things moving forward. Mayor Ashworth stated he was in favor of the case-by-case basis. There was no public comment. **MOTION** by Councilwoman Rozell and seconded by Councilwoman Trenary to approve Resolution 2020-16 Amending Emergency Meeting Procedures to Permit Holding Quasi-Judicial Hearings as amended with the insertion recommended by the City Attorney that "Council shall authorize the holding of quasi-judicial hearings on a case-by-case basis" to section C. Quasi-Judicial Matters. Motion carried unanimously.

- B. Consider Approval of Resolution 2020-17 Calling for a November 3, 2020 Special Municipal Election to be Conducted as a Coordinated Election and Submitting a Ballot Question to the City's Electors; Janell Sciacca, City Clerk. Sciacca presented reviewing the purpose of the resolution. She stated this resolution fixes the ballot title and authorizes the submission of the question to the electors of the City seeking to remove the single bet limit and allow the City to set the limit as well as the determine games. Sciacca noted there had been a minor amendment made following discussion with Central City and Blackhawk and Harris presented the Council with copies of a resolution detailing the amended question wording. Sciacca then stated all the gaming cities were hit hard by the COVID shutdown and hopefully if the statewide and City issues passed simultaneously, the changes could be put into place quickly to create jobs and increase revenue and she recommended approval of the resolution. There was no public comment. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Rozell to approve Resolution 2020-17 Calling for a November 3, 2020 Special Municipal Election to be Conducted as a Coordinated Election and Submitting a Ballot Question to the City's Electors. Motion carried unanimously.

9. PUBLIC HEARING

- A. Consider Approval of Ordinance 2020-03 Determining to Follow the Provisions of the Uniform Election Code for the November, 2020 Coordinated Election; Janell Sciacca, City Clerk. Sciacca reminder that Ordinance 2020-03 was presented to the Council on July 15, passed on first reading and was published in the newspaper. She recommended approval of the Ordinance stating it is required by the Cripple Creek Municipal Code Section 2-1-10 and formalizes that the City will follow the required provisions of the Coordinated Election. Upon approval there will be another required publication by title and it will become effective 30 days following that publication. There was no public comment. **MOTION** by Mayor Ashworth and seconded by Mayor Pro Tem Litherland to Approve Ordinance 2020-03 Determining to Follow the Provisions of the Uniform Election Code for the November, 2020 Coordinated Election as presented. Motion carried unanimously.

10. ADJOURNMENT – There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 6:25 PM.

APPROVED:


Milford Ashworth, Mayor

ATTEST:


Janell Sciacca, City Clerk



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**CRIPPLE CITY COUNCIL SPECIAL MEETING MINUTES
WEDNESDAY, AUGUST 25, 2020
4:00 PM (IN PERSON AND ONLINE VIA WEBEX)**

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the Regular Meeting to order at 4:00 PM having previously been noticed in accordance with Colorado Open Records Law.
2. **PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland and Councilmembers Charles Solomone and Melissa Trenary. Staff present were City Clerk Janell Sciacca, City Administrator Ray White, City Attorney Erin Smith (online), Planning & Community Development Director Bill Gray, and Public Works Director Steve DiCamillo.
4. **NEW BUSINESS**
 - A. Consider request for City Council to allow a Quasi-Judicial Public Hearing for H.D.M Subdivision, a Minor Subdivision; Bill Gray, Planning & Community Development Director. Gray presented stating pursuant to the Resolution adopted at the August 19 Council Meeting regarding quasi-judicial hearings being held on a case-by-case basis, the applicant accepted and signed the waiver to proceed with a virtual hearing and Staff recommended allowing the hearing to proceed. He added that the application was in good order with no outstanding issues. There was no public comment. **MOTION** by Councilwoman Trenary and seconded by Mayor Ashworth to approve the request and proceed with the Quasi-Judicial Public Hearing for H.D.M Subdivision as recommended. Motion carried unanimously.
5. **CITY COUNCIL AND PLANNING COMMISSION PUBLIC HEARING**
 - A. Consider Approval of H.D.M. Subdivision, a Minor Subdivision, and the Vacation of 8' of Platted and Unimproved Alley Right-of-Way adjacent to Lot 6, Block 5, Damon Placer Addition and the South 75' of Lots 1-3, Block 12, Hayden Place; Bill Gray, Planning and Community Development Director.
 1. First Reading of Ordinance No. 2020-04 Vacating the North Eight Feet (8') of a 16' Platted Alley Within the City of Cripple Creek, Described in the Ordinance and Reserving a Six Foot (6') Utility Easement.
 2. Resolution 2020-18 Approving the Minor Subdivision of Certain Real Property Described as H.D.M. Subdivision No. 1.

Mayor Ashworth announced the form of the proceedings which included the Planning Commission Hearing. Gray presented the Staff Report. During this time Councilwoman Rozell joined the meeting via Webex at 4:04 PM. Gray referred the Council to a color Proposed Resubdivision Exhibit at their seats and reviewed the location of improvements as platted and then the proposed locations once replatted. He stated that Staff worked with the owners, their representatives and the buyers on the matter and agreed on the final plat and Staff recommended the Planning Commission and City Council approve the H.D.M. Minor Subdivision No. 1 and the vacation of the North 8' of the 600 foot platted alley and reserve a 6' Utility Easement. In addition, he recommended approval of Resolution 2020-18 for the subdivision along with the vacation Ordinance 2020-04. Gray added both were reviewed and approved by the City Attorney. Gray recognized realtors/applicant representatives Donna Brazil and Mary Lynne Babiarz as well as the Surveyor from Gould Land Surveying that were in attendance. Mayor Ashworth opened the floor to public comment and there being no one present in person or online to address the matter, he closed the floor to public comment. Ashworth then inquired of questions from the Council. Mayor Pro Tem Litherland inquired about the addition of new homes. Gray replied no new development was proposed. Litherland then clarified that the water and sewer lines on the property were the responsibility of the owners and the City was only responsible for those in the street. Public Works Director DiCamillo agreed stating this was one of the reasons it took so long to come to hearing. He wanted to make sure the City had no responsibility for the utilities except for those located in the alley and Galena. The Council generally approved to move forward with the application as presented. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Trenary to approve First Reading of Ordinance No. 2020-04 Vacating the North Eight Feet (8') of a 16' Platted Alley Within the City of Cripple Creek, Described in the Ordinance and Reserving a Six Foot (6') Utility Easement as presented. Motion carried with Councilwoman Rozell abstaining citing her late joining of the meeting. **MOTION** by Mayor Ashworth and seconded by Mayor Pro Tem Litherland to approve Resolution 2020-18 Approving the Minor Subdivision of Certain Real Property Described as H.D.M. Subdivision No. 1 as presented. Motion carried with Councilwoman Rozell abstaining citing her late joining of the meeting.
3. **ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 4:17 PM.

APPROVED:

ATTEST:


Milford Ashworth, Mayor


Janell Sciacca, City Clerk



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**CRIPPLE CITY COUNCIL REGULAR MEETING MINUTES
WEDNESDAY, SEPTEMBER 2, 2020
5:30 PM (ONLINE VIA WEBEX)**

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the Regular Meeting to order at 5:30 PM having previously been noticed in accordance with Colorado Open Records Law.
2. **PLEDGE OF ALLEGIANCE & INVOCATION** – Mayor Ashworth led the Pledge of Allegiance and no invocation given.
3. **ROLL CALL** City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland and Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary (online) Staff present were City Clerk Janell Sciacca, City Attorney Erin Smith (online), Interim City Administrator Ray White, Finance Director Paul Harris, Chief of Police Charles Bright (online), Planning & Community Development Director Bill Gray, Public Works Director Steve DiCamillo, HR & Risk Management Director Carol Stotts and HR & Risk Management Technician Heather Hildebrand.
4. **APPROVAL OF MINUTES**
 - A. August 5, 2020 Regular Meeting
 - B. August 19, 2020 Regular Meeting
 - C. August 25, 2020 Special Meeting

MOTION by Mayor Pro Tem Litherland motioned and Councilwoman Rozell seconded to approve the August 5, August 19 and August 25, 2020 meeting minutes as presented. Motion carried unanimously.
5. **PUBLIC COMMENT** None.
6. **REPORTS**
 - A. City Administrator – White provided an update that Planning & Community Development Director Gray was working on a report relative to blighted structures and that the City had been in contact with the executor of Judith Rutherford's estate regarding her properties. He stated a progress update would be forthcoming. White reported that the County had seen its 3rd day of no new COVID cases so the numbers were moving in the right direction. He also reported that the City sent a Fire Crew to the Pine Gulch fire and they were credited with saving at least one structure. They would now go into the standby rotation and he noted sending crews out to these incidents was a revenue generator for the City.
 - B. Finance Director – Harris reported the first budget meetings would be held October 7 & 8, 2020 at 3PM. He also provided a breakdown on the current 162 COVID cases stating 99 were reported in Woodland Park, 30 in Florissant, 23 in Divide, 8 in Cripple Creek at 8 and 2 in Victor. He added there was another death reported bringing the total to 4.

Councilwoman Rozell reported that she was tasked with attending special event application meetings with Staff and applicants and provided a brief update on a meeting she attended on August 26 for the Rambler 500 (September 18-20) and Fall Fest (September 26 & 27 and October 3 & 4). She added that she and Councilman Solomone met yesterday with the Gold Camp Coalition about some potential future events. Mayor Ashworth reported he attended a Webex meeting last evening with relative to Newmont operations where the fencing plan was addressed.
7. **PRESENTATIONS, UPDATES & OTHER REPORTS** None.
8. **NEW BUSINESS**
 - A. Consider approval of Resolution No. 2020-19 amending the Personnel Policies and Procedures Manual for the City of Cripple Creek to add a Social Media Policy; Carol Stotts, HR & Risk Management Director. Stotts presented and overview of the purpose of the Social Media Policy. She stated the policy had been reviewed by Employers Council and City Attorney Smith and sets forth expectations for employees relative to social media and will be incorporated into the Policies and Procedures Manual. Councilwoman Rozell suggested adding wording to Section 3.

Item e) adding employees would be subject to disciplinary action or termination. City Attorney Smith agreed and stated she would make the change. There was no public comment. **MOTION** by Councilwoman Rozell and seconded by Mayor Ashworth to approve Resolution 2020-19 amending the Personnel Policies and Procedures Manual for the City of Cripple Creek to add a Social Media Policy as amended. Motion carried unanimously with Councilwoman Trenary not voting due to technical issues.

- B. Consider approval of request to hold Public Hearing for Special Exception for Gold King Mountain Inn Workforce Housing Units; Bill Gray, Planning & Community Development Director. Gray reminded that this was being presented for decision on whether a public hearing could move forward as per Resolution 2020-16. Staff was recommending that Council could proceed as there had been no public comment received and the project was not controversial but rather beneficial to the City. There were no questions or public comment. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Rozell to proceed with a Public Hearing for a Special Exception for the Gold King Mountain Inn Workforce Housing Units. Motion carried unanimously with Councilwoman Trenary recusing herself from voting due to a personal conflict.

9. PLANNING COMMISSION AND CITY COUNCIL PUBLIC HEARING(S)

- A. Consider request for Special Exception for Gold King Mountain Inn Workforce Housing Units in the C-1 Industrial District; Bill Gray, Planning & Community Development Director. Mayor Ashworth announced the form of the proceedings which included the Planning Commission Hearing. City Attorney Smith requested the Mayor and Council entertain a declaration from Councilwoman Trenary to recuse herself. Councilwoman Trenary announced she would be recusing herself from voting on this item due to a conflict. Ashworth then opened the Planning Commission Hearing. Gray presented the Staff Report providing an overview of the proposal and stated Staff's finding was that the application meets the criteria for approval and recommended approval subject to the nine (9) conditions listed. Ashworth opened the floor to comments. Mayor Pro Tem Litherland thanked the applicant for moving forward on this and felt it was a great thing. His only concern was trash receptacles due to the location of the property at the entry of the City and stated it would behoove their team to add additional containers and monitor trash coming down off the hill. There was no public comment. Cripple Creek Hospitality, LLC Manager and Applicant Joe Canfora presented. He stated the objective was to provide housing for added employees that would be needed when they open the hotel that is currently under construction. He provided an overview of the different housing types proposed for different levels of income and stated it would be a phased approach starting with the 1 level apartment. There are a lot of items to be addressed but the hope with moving forward was to get some infrastructure in before the winter weather. He felt this would help the workforce housing situation. There was no opposition to the project and Ashworth provided Canfora opportunity to make additional comments. Canfora announced he had no comments relative to the project but did want to announce he was a first time grandfather as of Sunday to granddaughter Amelia. The Mayor and Council congratulated Canfora. Councilwoman Rozell commented that it was incentive to the applicant to make sure the units were filled and she felt it was an excellent project. Mayor Ashworth closed the floor to comment and closed the Public Hearing. Gray then recommended the Council consider striking condition 3. requiring the workforce housing plan to allow to accelerate getting the units done. The Council generally agreed with the recommendation **MOTION** by Councilwoman Rozell and seconded by Mayor Pro Tem Litherland to approve the application for Special Exception for Gold King Mountain Inn Workforce Housing Units in the C-1 Industrial District with condition 3. regarding rental rates being stricken as recommended. Motion carried unanimously.

10. **ADJOURNMENT** There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 6:07 PM.

APPROVED:

ATTEST:


Milford Ashworth, Mayor


Janell Sciacca, City Clerk



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**REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, SEPTEMBER 16, 2020 – 5:30 pm
5:30 PM (ONLINE VIA WEBEX)**

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland, and Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary (online). Staff present were Interim City Administrator Ray White, City Clerk Janell Sciacca, City Attorney Erin Smith (online), Finance Director Paul Harris, Heritage Tourism Director Michelle Rozell, Planning & Community Development Director Bill Gray and Parks & Recreation Director Connie Dodrill (online).
4. **APPROVAL OF MINUTES**
 - A. September 2, 2020 Regular Meeting – **MOTION** by Councilwoman Trenary and seconded by Mayor Pro Tem Litherland to approve the September 2, 2020 Regular Meeting minutes as presented. Motion carried unanimously.
5. **PUBLIC COMMENT** – Michael Lindsey, 238 E Eaton, thanked the Councilmembers and Staff for all they do and for making hard decisions. He felt the Council, as a body, has stood for change, looking forward and as great representatives of the City. He also thanked Marketing & Events Director Jeff Mosher and Assistant Bill Martin for their work on the past weekend's Memorial Wall celebration. Lindsey also thanked the Council for supporting the American Legion and Two-Mile High Club fundraiser and stated his belief that the community is coming together cooperatively and positively and is inclusively looking forward to next summer. Lindsey asked the Council help foster a symbiotic message of collaboration with stakeholders having input and that Council also consider how to keep the City's financial resources in the town. Brian Cooper, 227 W. Bennett, read a letter advising the State of Colorado that his organization, Faith Fellowship Church, would be willing to take on the role of not-for-profit sponsor for the group trying to save the Gillette Flats spring. He then stated his request to Council was for support to keep the spring open. Shannon Taylor, 201 Campbell Lane in Guffey, and local Legion Commander, announced plans were in process for the American Legion Fall Festival in conjunction with the Two-Mile High Club Fall Color Tours. Taylor provided a brief overview of the family friendly activities planned around the City's pocket park and invited everyone to join in the fun.
6. **REPORTS**
 - A. City Administrator – White reminded that former Woodland Park Mayor Levy recently passed and the City of Cripple Creek made a \$500 donation in his honor to the Woodland Park School District. The School District sent a thank you letter acknowledging the donation and advising the funds would be used for baseball field improvements. White announced that Planning & Community Development Director Bill Gray submitted his resignation and was taking a position with the City of Colorado Springs. He stated Staff was looking at options for filling the position or utilizing contract services for these duties. In the interim, Renee Mueller will be handling all business.
 - B. Finance Director – Harris provided an update on COVID-19 stating that numbers had slowed down in the past few weeks moving the County to a moderate concern category. Cripple Creek's cases have remained at 8 since July 27 and Victor at 2. At the EOC meeting earlier in the day the new State "dial" was discussed and the County is looking good under it but is not ready to move to Protect Our Neighbor status. He also advised CDPHE announced it is willing to consider "site-specific" variances. He also announced that the County variance for table games was submitted Friday under the old rules, but the County was told it had to follow the new dial rules so that was being reevaluated. He then updated the Council on gaming tax distributions, stating they were down over 41%. Harris explained this was due to the tax tiers and the Casinos not progressing through the fiscal year. He stated the closure came at the worst time for Cripple Creek.

7. PRESENTATIONS, UPDATES & OTHER REPORTS

- A. Proclamation Recognizing October 2020 as Arts Month. Andy Vick, Cultural Office of the Pikes Peak Region Executive Director, was not in attendance and Clerk Sciacca played a prerecorded video from YouTube for the Council and viewing public. Mayor Ashworth read the proclamation and then signed it recognizing October 2020 Arts Month.
- B. Proclamation Recognizing October 3-4, 2020 as National Fallen Firefighters Memorial Weekend. Mayor Ashworth read the proclamation and then signed it recognizing October 3-4, 2020 as National Fallen Firefighters Memorial Weekend.
- C. Proclamation Recognizing October 4-10, 2020 as Fire Prevention Week. Mayor Ashworth read the proclamation and then signed it recognizing October 4-10, 2020 as Fire Prevention Week.
- D. Legislative Update. Sol Malick and colleague Stephanie Hicks reviewed a Colorado Political Update for September 2020 handout. He stated gaming communities were getting a lot of sympathy and thought there might be a few things on the horizon that would help them. He reported ballots for the November 3 General Election were to be mailed around Friday, October 9. Malick and Hicks reviewed Colorado's active voter registration numbers and then gave an overview of the Federal and Colorado General Assembly (House and Senate) races and statewide ballot measures. They ended stating it would most likely be another active year for the City. Mayor Ashworth asked Malick and Hicks keep the City updated on Amendment #77.

8. NEW BUSINESS

- A. Consider Approval of Resolution No. 2020-20 approving the application for the GKMI Workforce Housing Special Exception in the C-1 Industrial District as certain real property described at 601 E. Galena Avenue. Councilwoman Trenary announced a conflict with this item, recused herself and left the dais. Gray announced that applicant representative Joe Canfora had contacted him requesting the matter be continued to October 7, 2020 as he had not been able to review the resolution document. Gray recommended Council approve the request so that everyone could get on the same page prior to final approval. There was no public comment. **MOTION** by Councilwoman Rozell and seconded Mayor Pro Tem Litherland to table Resolution No. 2020-20 approving the application for the GKMI Workforce Housing Special Exception in the C-1 Industrial District as certain real property described at 601 E. Galena Avenue. Motion carried unanimously. Councilwoman Trenary resumed her seat at the dais.
- B. First Reading of Ordinance No. 2020-05 amending the definition of Yard Setback Projection of Section 1.8 Definitions/Miscellaneous Provisions. Gray presented reviewing the Staff Report which outlined the purpose of the ordinance. He recommended Council pass Ordinance 2020-20 for publication for final adoption in order to address the yard projection challenges/issues as addressed. Rozell inquired if Building Inspector Dan Weed had reviewed the fire safety provision. Gray replied yes, and that fire rating would be addressed administratively. There was no public comment. **MOTION** by Councilwoman Rozell and seconded by Councilman Solomone to approve First Reading of Ordinance No. 2020-05 amending the definition of Yard Setback Projection of Section 1.8 Definitions/Miscellaneous Provisions. Motion carried unanimously.
- C. Consider Approval of Certification of Delinquent Water & Sewer Accounts to Teller County Treasurer. Sciacca presented reminding Council this was an annual process. She noted an updated list provided to Council stating one account had been removed. Sciacca advised this process was set forth in C.R.S. 31-20-105 and Cripple Creek Municipal Code Section 7-1-190 and requested Council approve certification of delinquent water and sewer accounts to the Teller County Treasurer as presented for collection along with property taxes. **MOTION** by Mayor Pro Tem Litherland and seconded Councilwoman Trenary to approve Certification of Delinquent Water & Sewer Accounts to Teller County Treasurer as presented. Motion carried unanimously.


Sciacca then took opportunity to announce on behalf of Marketing & Events Director Mosher that the Rocky Mountain Rambler event was taking place September 18-19 on Masonic in the Triple Crown and Century Casino parking lots.

- 9. **ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 6:50 PM

APPROVED:


Milford Ashworth, Mayor

ATTEST:


Janell Sciacca, City Clerk



REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, OCTOBER 7, 2020 – 5:30 pm
5:30 PM (ONLINE VIA WEBEX)

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Pro Tem Litherland called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law. Litherland announced that Mayor Ashworth had tested positive for COVID-19 and would be attending online. He also announced that former Public Works Director and longtime City resident Chip Huffman was hospitalized.
2. **PLEDGE OF ALLEGIANCE** – Mayor Pro Tem Litherland led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth (online), Mayor Pro Tem Tom Litherland, and Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary. Staff present were Interim City Administrator Ray White, City Clerk Janell Sciacca, City Attorney Erin Smith (online), Finance Director Paul Harris, HR & Risk Management Director Carol Stotts, HR & Risk Management Technician Heather Hildebrand, and Marketing & Events Director Jeff Mosher.
4. **APPROVAL OF MINUTES** – No minutes presented for approval.
5. **PUBLIC COMMENT** – Litherland announced comments would be limited to 5 minutes per speaker. Annie Durham, 309 Aspen St, Cripple Creek, CO provided an update on behalf of the Veterans Rally Citizens Alliance. This group was formed to advocate for continuance of the Salute to American Veterans Rally hosted by Pro Promotions. Durham stated the group felt strongly now more than ever the Rally needed to continue to provide an avenue to bring veterans out of the darkness and reduce suicide rates. The group has 3,247 Facebook members and over 800 signatures on petitions to support for continuance of the Rally. Beva Leyerly, 309 Aspen St, Cripple Creek, CO, read excerpts from testimonials on the Alliance Facebook page supporting continuance of the Salute to American Veterans Rally in Cripple Creek. Shannon Taylor, 201 Campbell Lane, Guffey, CO and local Legion Commander stated the Legion was not against the Veterans Rally and instead actually want to play more of a part in the event. The group would like to see more coordination with local not-for-profits to make it even better. Colt Simmons, Teller County Assessor, addressed the proposed November election Ballot Amendment B, better known as the Gallagher Amendment. He provided a quick overview of the purpose of the amendment being proposed to repeal the current constitutionally set limits and allow the state legislature to provide for future rate adjustments. He encouraged everyone to review the Blue Book and then contact his office with any questions.
6. **REPORTS**
 - A. City Administrator – White advised that the City had an incident earlier in the day resulting in injuries to two Police Officers. Both went to the hospital and were released. White commended their actions in protecting the community. He then noted the City was in a transition phase in the Development Department with contract options being investigated and a recommendation would be forthcoming. White asked that the City recognize Finance Director Paul Harris for 25 years of outstanding service and stated the City was extremely fortunate to have someone with his abilities. The Council echoed White's comments
 - B. Finance Director – Harris thanked everyone for the kind comments and congratulations on his years of service.
7. **PROCLAMATIONS, PRESENTATIONS, UPDATES & OTHER REPORTS**
 - A. National Energy Awareness Month Presentation; Jeff Mosher, Marketing & Events Director. Mosher reported that November was National Energy Awareness Month and the City was partnering with Black Hills Energy for several events throughout the year including renewable energy initiatives. Most recently they hosted a Do-It-Yourself Energy Efficiency Kit giveaway with Staff from Black Hills and the Aspen Mine Center handing out 150 kits in a drive-thru event. In October the City would be looking at additional events.
8. **NEW BUSINESS**
 - A. CONTINUED FROM AUGUST 5, 2020: Consider Request for Reimbursement from Pro Promotions for 2020 Salute to American Veteran's Rally Expenses; Jeff Mosher, Marketing

& Events Director. Mosher introduced noting the updated invoice in the packet. Staff recommendation was provided at the August 5 Regular Council Meeting. Jim & Pam Wear of Pro Promotions and the Salute to American Veterans Rally were in attendance and responded to questions from Councilmembers. Jim Wear read a prepared statement stating some monies had been recouped through retail sales and the actual request was reduced to around \$12,500. He also stated the events carried out after the City Council action to cancel the Rally were not meant to usurp City authority but rather fulfilling the wishes and expectation of the associated Veterans Groups and honoring of the fallen marine whose family was expecting the planned ceremony. Councilwoman Rozell stated the City has to fall State rules and the Council did what it had to in order to protect the Casino industry and she stood by the decision made. Things could have been done differently and the City never said it wanted to get rid of the Rally so she did not ever want to hear that again. The Council will be discussing future funding of all events as it relates to balancing the budget and clarified financial support does not in any way equate to moral support. It is a hard time for everyone putting on events and everyone is going to have to get creative. Councilwoman Trenary stated she missed a lot of the discussion online from the last meeting addressing this matter and Rozell reviewed the items that Staff recommended reimbursing which are \$615.00 for the Memorial, \$5,065.22 Production and Printing and \$26.58 in Posters/Flyers. Rozell stated all other items were purely the cost of doing business. Councilman Solomone stated his recommendation was \$0 reimbursement recalling his question to Jim Wear on August 5 whereby he asked Wear specifically if for whatever reason the Rally did not happen the City wouldn't owe him a dime and he stood at the podium and agreed to that. Mayor Pro Tem Litherland stated as far as he is concerned every event is potentially in jeopardy of not happening and his recommendation would be \$0. Trenary felt somewhere between the \$12,473.29 and \$5,706.80 was more appropriate. Mayor Ashworth felt reimbursement of the \$5,065.22 was appropriate. **MOTION** by Mayor Ashworth and seconded by Mayor Pro Tem Litherland to approve the staff recommended reimbursement amount of \$5,706.80. Motion carried 4 to 0 with Solomone voting No.

- B. Consider Approval of Resolution No. 2020-20 approving the application for the GKMI Workforce Housing Units Special Exception located in the C-1 Industrial District at certain real property described at 601 E. Galena Avenue; Renee Mueller, Planning Coordinator. Councilwoman Trenary announced a conflict for this item and recused herself stating her husband was an employee of the Wildwood. She left her seat at the dais. City Clerk Sciacca presented for Mueller who was not able to attend due to a scheduling conflict. Sciacca polled the online viewers to ascertain if any Wildwood representative was online and there was no response. She reminded the City Council this item was tabled from the previous meeting at request of applicant Joe Canfora who had not been able to review the resolution. She also reminded that the public hearing for the Planning Commission and City Council was held on September 2, 2020 and Staff was requested to present a Resolution formalizing the action. Councilwoman Rozell inquired if Canfora had been able to review the document. Sciacca replied that Staff had not heard from him, but if Council did approve the Resolution Canfora would still have opportunity to review it and was required to sign and applicant acknowledgement of the conditions of approval. City Attorney Smith advised Council the appropriate action was to approve the Resolution as presented. There was no public comment. **MOTION** by Councilwoman Rozell and seconded by Councilman Solomone to approve Resolution No. 2020-20 approving the application for the GKMI Workforce Housing Units Special Exception located in the C-1 Industrial District at certain real property described at 601 E. Galena Avenue as presented. Motion carried unanimously. Councilwoman Trenary resumed her seat at the dais.
- C. Consider Approval of Ordinance 2020-04 Vacating the North Eight feet (8') of a Sixteen Foot (16') Platted Alley Within the City of Cripple Creek and as Described in This Ordinance and Reserving a Six foot (6') Utility Easement; Renee Mueller, Planning Coordinator. City Clerk Sciacca presented reminding City Council first reading was conducted at the special meeting of the Planning Commission and City Council held on August 25. The Ordinance was published in the paper as required and if approved tonight would formalize the action taken on August 25. The Ordinance would then become effective 30 days following the second required publication and recorded. Mayor Pro Tem Litherland noted a typo and requested that Garfield County be changed to Teller County. Sciacca replied that was previously corrected and would be once more prior to recording. There was no public comment. **MOTION** by Councilwoman Rozell and seconded by Councilwoman Trenary to approve Ordinance 2020-04 Vacating the North Eight feet (8') of a Sixteen Foot (16') Platted Alley Within the City of Cripple Creek and as Described in This Ordinance and Reserving a Six foot (6') Utility Easement. Motion carried unanimously.


- D. Consider Approval of City Employee Healthcare and Ancillary Benefits Renewal; Carol Stotts, HR & Risk Management Director. Stotts provided an overview of the Staff Report and reviewed a PowerPoint presentation regarding renewal of Public Sector Health Care Group medical, dental and vision benefits. She recommended approval as presented adding Harris had included the associated figures in the budget. There was no public comment. **MOTION** by Councilwoman Rozell and seconded by Councilwoman Trenary to approve City Employee Healthcare and Ancillary Benefits Renewal as presented. Motion carried unanimously.
- E. Consider Approval of Resolution No. 2020-21 Supporting Statewide Constitutional Ballot Measure 77 and Associated Municipal Ballot Measure 2A Seeking to Allow the City of Cripple Creek to Set the Maximum Single Bet Limit and Expand Allowable Game Types and Encouraging the and Encouraging the Citizens to Vote in Favor of Both Measures; Janell Sciacca, City Clerk. City Clerk Sciacca presented stating there were two very important measures on the ballot on November 3 for Cripple Creek. She reminded the City is not allowed to spend monies to support a ballot measure but can utilize free such as the Resolution. Sciacca read pertinent portions of the document regarding the important benefits of Statewide Measure #77 and local Measure 2A and recommended approval as presented. There was no public comment. **MOTION** by Councilwoman Rozell and seconded by Councilwoman Trenary to approve Resolution No. 2020-21 Supporting Statewide Constitutional Ballot Measure 77 and Associated Municipal Ballot Measure 2A Seeking to Allow the City of Cripple Creek to Set the Maximum Single Bet Limit and Expand Allowable Game Types and Encouraging the and Encouraging the Citizens to Vote in Favor of Both Measures as presented. Motion carried unanimously.

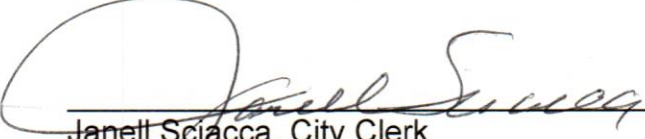
Sciacca reported that ballots would go in the mail soon and she encouraged voters that did not receive a ballot to contact the Clerk & Recorder's Office. She stated that the Clerk & Recorder was recommending ballots be voted by mail or dropped off at one of the stand-alone ballot drop boxes.

9. **ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Pro Tem Litherland adjourned the meeting at 6:40 PM

APPROVED:

ATTEST:


Milford Ashworth, Mayor


Janell Sciacca, City Clerk



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**REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, OCTOBER 21, 2020
5:30 PM (ONLINE VIA WEBEX)**


Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813


1. **CALL TO ORDER** – Mayor Pro Tem Litherland called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **PLEDGE OF ALLEGIANCE** – Mayor Pro Tem Litherland led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth (online), Mayor Pro Tem Tom Litherland, and Councilmembers Meghan Rozell (online), Charles Solomone and Melissa Trenary. Staff present were Interim City Administrator Ray White, City Clerk Janell Sciacca, City Attorney Erin Smith (online), Finance Director Paul Harris and HR & Risk Management Director Carol Stotts (online).
4. **PUBLIC COMMENT** – None.
5. **REPORTS**
 - A. City Administrator – White reported the City experienced its first case of COVID amongst City employees and mitigating steps were being taken. He noted the City of Pueblo was considering reducing Staff levels down to 25% in office and Cripple Creek would be looking at this as well with the COVID case levels increasing. White then read a letter from a visitor commending Butte Theater Director Mel Moser and advising he was a fabulous representative of the community. The visitor also thanked the City for preserving the Butte as a wonderful piece of Colorado history and culture.
 - B. Finance Director – Harris reported that he did apply last week for remaining CARES Act funding of a \$105,000 which had been set aside for Cripple Creek. He waited until there were enough expenses to use it up at one time. He also reported that DOLA set up a \$28 million reserve fund and he applied for \$1.75 million of it. Harris didn't believe the City would receive a full award but the funds were available for emergency related services and he figured he would swing for the fence. He then reported he received information needed to calculate property taxes and would be providing the Council version two of the budget next week. He would be setting another budget meeting at 4PM prior to the November 4 Council Meeting. He then advised the Council he was adding New Business item D.
6. **NEW BUSINESS**
 - A. Consider Approval of Resolution 2020-22 Authorizing the Mayor of the City of Cripple Creek to Appoint Members of the City Council to the Position of Council Specialist and Setting Forth the Powers and Duties of Such Council Specialists. Mayor Pro Tem Litherland announced this item was being tabled.
 - B. Consider Approval of Awarding Historic Preservation Grant to American Legion for Brick Repairs; Renee Mueller, Historic Preservation and Planning Coordinator. Mueller advised the Historic Preservation Commission met on October 15 to review this application for \$900 to complete exterior brick work on the Legion Building at 400 E. Carr Avenue. She reported the Commission recommended approval as presented and noted Legion Commander Shannon Taylor was in attendance to answer any questions. Mayor Pro Tem Litherland inquired of City Attorney Smith if he and Councilman Solomone needed to recuse themselves as members of the Legion even though they were not officers. Smith replied that would be appropriate. There was no public comment. **MOTION** by Councilwoman Rozell and seconded by Councilwoman Trenary to approve awarding the \$900 HP Grant to the American Legion as presented. Motion carried with Rozell, Trenary and Ashworth voting Yes.

- C. Consider Approval of Resolution 2020-23 Approving a Professional Services Agreement with Baseline Engineering Corporation for Planning & Development Related Services; Carol Stotts, HR & Risk Management Director. White presented on behalf of Stotts stating the 3-month agreement covered services previously performed by Planning & Community Development Director Bill Gray. Staff felt this was the most cost effective and expeditious way to maintain services with a minimum amount of interruption. White added Baseline was recommended by Colorado Code and the Colorado Municipal League. Historic Preservation and Planning Technician Mueller inquired if the City would have the same Planner coming down one day a week. White replied yes and that person had been identified, but there would be an on-call planner for the other 4 days. There was no public comment. **MOTION** by Councilwoman Trenary and seconded by Councilman Solomone to approve Resolution 2020-23 Approving a Professional Services Agreement with Baseline Engineering Corporation for Planning & Development Related Services. Motion carried unanimously.
- D. Consider Approval of Extension of Lease Agreement with Amory Properties, Inc. for the Green House and Parking Lot for Green House and Parking Lot located on Lots 1-10 inclusive, Fremont Addition; Paul Harris, Finance Director. Harris stated he received a call from the Attorney of the owner who wanted to get a new lease in place and file it with the Council for tax related benefits. The 1-page extension is good for 5-years. There was not public comment. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Trenary to approve Approval of Extension of Lease Agreement with Amory Properties, Inc. for the Green House and Parking Lot located on Lots 1-10 inclusive, Fremont Addition as presented. Motion carried with Councilwoman Rozell abstaining.
- 7. PUBLIC HEARING(S)**
- A. Consider Approval of Ordinance 2020-05 Amending Text of the City of Cripple Creek Development Code Relating to Yard Setback Projections as Defined in Section 1.8 Definitions/Miscellaneous Provisions; Renee Mueller, Historic Preservation and Planning Coordinator. Mueller presented stating this was 2nd reading and the public notice was done by the City Clerk's Office. There were no questions by Council and there was no public comment. **MOTION** by Councilwoman and Rozell and seconded by Councilman Solomone to approve Ordinance 2020-05 Amending Text of the City of Cripple Creek Development Code Relating to Yard Setback Projections as Defined in Section 1.8 Definitions/Miscellaneous Provisions as presented. Motion carried unanimously.
- 8. ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Pro Tem Litherland adjourned the meeting at 5:51 PM

APPROVED:

ATTEST:


 Milford Ashworth, Mayor


 Janell Sciacca, City Clerk



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**REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, NOVEMBER 4, 2020
5:30 PM (ONLINE VIA WEBEX)**

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland, and Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary. Staff present were Interim City Administrator Ray White (online), City Clerk Janell Sciacca, City Attorney Erin Smith (online), Finance Director Paul Harris (online), HR & Risk Management Director Carol Stotts (online), Transportation Director Ted Schweitzer, Public Works Director Steve DiCamillo and Chief of Police Bud Bright.
4. **PUBLIC COMMENT** – None.
5. **APPROVAL OF MINUTES**
 - A. September 16, 2020 Regular Meeting – **MOTION** by Councilwoman Trenary and seconded by Mayor Pro Tem Litherland to approve the minutes of September 16, 2020 as written. Motion carried unanimously.
6. **REPORTS**
 - A. City Administrator – White reported there were several productive meetings held over the week: One regarding the Rutherford properties where the City was advised a realtor would be appointed to handle the sale of 59+ properties hopefully to the benefit of the City; One with Baseline, the Planning & Development contractor, who also sat in on the Rutherford meeting; and one regarding the Community Development Block Grant for the Community of Caring building acquisition and rehabilitation. White also recognized City two employees for years of service - Robert Sessions, Public Works Operator for 5 Years and Robert Downs, Public Works and Transportation Mechanic for 5 years.
 - B. Finance Director – Harris provided an update on COVID-19 activity. He noted numbers took off in the last couple weeks of October and continued into November. There was an increase of 32 cases in just the first 4 days of November. He also reported that at the EOC Meeting held earlier in the day good news was received that Teller County was successful in Court against Charis Bible College/Womack with the Judge ordering no more conferences or gatherings and that prior failures on their part resulted in real injuries and public health orders are law and enforceable. Harris stated in the last 2 weeks there were 87 new cases, 5 outbreaks and 2 new hospitalizations. The 2-week positivity rate rose to 10.4%, double the goal of at/or below 5%. On Friday there would be a meeting to discuss whether or not the County would move from Safer at Home Level Blue to Safer At Home Level Yellow.
7. **PRESENTATIONS, UPDATES AND OTHER REPORTS**
 - A. Presentation Regarding Cripple Creek – Victor School District Vocational / Postgraduate Center RISE Funding Grant Application and Community Input Process; Daniel Cummings, CC-V Secondary Principal. Cummings appeared alongside School Board President Mary Bielz and Superintendent Miriam Mondragon. He provided statistics on the school for 2019 – 5% of high school students are up to standard on math and 22% of students are up to standard on literacy. He also shared that 75% of the student population is identified as low income and qualifies for free/reduced lunches with 59% at high risk for at-risk behavior. Cummings stated he has seen the traditional program is not serving the needs of the students and families and with the direction and support of the Superintendent and School Board they wanted to shift the way they work with the students and families to provide more career and technical opportunities for them and incorporate certificate programs with mechanical and technical training to directly feed them in to the workforce and increase economic development in the area. Mondragon shared data from the Spiritus Community Assessment in 2019: Living wage to support a single adult and child in Teller County is \$24.55 and the average wage is only \$11.10; 85% of renters and homeowners are considered house-burdened whereby household costs exceed 30% of total income; 94.1% of Teller County adults have a diploma but only 34.2% have a Bachelor's or higher degree. She also shared data from the 2019 Healthy Kids Survey: 85% of Middle School and High School students feel sad and hopeless every single day. She then distributed and reviewed a one page

outline of the goals, vision and next steps in making this shift and pointed out they hoped to lift the community out of poverty with skills and education and create a community-wide skills-to-employment program with changes in teaching through competency and work-based learning by building partnerships with community organizations and businesses with an ultimate goal of bringing new jobs to the community and preparing students and adults for livable wages. She reviewed the steps and then stated the school received a Design Support Partner Grant from the Gates Foundation due to the areas compelling circumstances. Bielz added this grant moves toward the Governor Polis Education Initiative to reinvent education and impact economic development. They are pursuing \$4 million in funding from the State to get the initiative off the ground. Bielz also noted their grant was the only one that incorporated adults. Councilwoman Rozell shared a personal experience as well as her complete support of the goal. Ashworth stated he supported this 1,000%. Cummings advised if they could partner with Pikes Peak Community College, gaming impact monies from Cripple Creek would come back to the community for its students and families. Mondragon, Bielz and Cummings requested support of Council and the community moving forward. Litherland inquired about the enrollments numbers and Cummings and Mondragon replied there were 192 students in the Middle School / High School and 135 in the Elementary – On October 1 enrollment was 355.5 district wide and not including the Preschool. The Council expressed general support and thanked the School District for making their presentation.

8. **NEW BUSINESS**

- A. Consider Approval of Resolution 2020-24 Adopting Temporary Personnel Policies in Response to the Coronavirus (COVID-19) Public Health Emergency; Carol Stotts, HR & Risk Management Director. Stotts stated she was requesting approval of Temporary Policies (a Personnel Travel Policy, Employee Health Screening Policy and Pandemic Mask Policy) and the request for approval was requested to affirm Council's support for enforcement. The policies would remain in place until rescinded by the City Administrator. Councilwoman Rozell inquired about employees clocking in prior to screening. Stotts replied that was addressed specifically in the policy and an employee can notify their supervisor to address it in the timecard. Rozell stated her desire was to have that changed because mandated or required activities by the organization should be performed on the clock. She also questioned required a mask when traveling to/from a vehicle which appeared that someone on the sidewalk could not have a mask down. She felt it was a little overreaching. Stotts replied this could be modified. Councilwoman Trenary agreed and felt people needed to be allowed to breath fresh air. Stotts stated she could certainly make the adjustment. Rozell also suggested looking into discriminatory policies as well for those that recovered or those that received negative testing or associated treatment and including realtive information. Trenary expressed that she did not believe a mask was necessary for employees working outside and not near other employees. Stotts suggested a Work Session to discuss the policies in more detail and Council agreed it would be a good idea. There was no public comment. **MOTION** by Councilwoman Rozell and seconded by Councilwoman Trenary to table Resolution 2020-24 and conduct a Work Session on the matter. Motion carried unanimously.
- B. Consider Approval to Ratify October 21, 2020 City Council Action Extending Lease Agreement with Amory Properties, LLC for Green House and Parking Lot located on Lots 1-10 inclusive, Fremont Addition; Paul Harris, Finance Director. Harris reminded that this item was approved at the October 21, 2020 meeting after being added to the agenda after posting and City Attorney Erin Smith recommended ratification with an additional vote after appearing on a regularly posted agenda. There was no public comment. **MOTION** by Mayor Pro Tem Litherland and seconded by Mayor Ashworth to approve ratification of the October 21, 2020 City Council Action Extending Lease Agreement with Amory Properties, LLC for Green House and Parking Lot located on Lots 1-10 inclusive, Fremont Addition. Motion carried with Rozell abstaining.
- C. Consider Approval of a Sub Lease Agreement with Community of Caring Foundation for Basement of the Green House located at 372 E. Bennett Avenue; Paul Harris, Finance Director. Harris advised this was a sub-lease with Community of Caring for the basement of the green house whereby they store some of their retail items. He added the fee is \$1 per year. There was no public comment. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Rozell to approve a Sub Lease Agreement with Community of Caring Foundation for the Basement of the Green House located at 372 E. Bennett Avenue. Motion carried unanimously.
- D. Consider Approval of Title VI Nondiscrimination Program Plans for Transit and Public Works; Ted Schweitzer, Transportation Director and Steve DiCamillo, Public Works Director. Schweitzer and DiCamillo presented an overview of the Staff Report advising this is a federal requirement of agencies to obtain federal financial assistance. It is a compliance piece that protects against discrimination. Schweitzer added the Colorado Dept. of Transportation already reviewed and approved the plans and City Council action was required for finalization. There was no public comment. **MOTION** by Councilwoman Rozell and seconded by Councilwoman Trenary to

approve the Title VI Nondiscrimination Program Plans for Transit and Public Works. Motion carried unanimously.

There was an unscheduled presentation to community member Rich Ingold. Councilwoman Rozell read a plaque for recognition of Ingold's outstanding service and tireless dedication to the people of Teller County, Cripple Creek, Victor and the Gold Mining District. Rozell introduced Ingold's wife Barb who read a history of Rich's life, work and service. Rozell then presented Ingold with his plaque and requested Staff be directed to create a resolution establishing the Rich Ingold Community Service Award. Council thought this was a good idea. Ingold thanked his wife for the summary of his life and her hard own work and then thanked the Council for the honor. Rozell then led the meeting attendees outside where a group of community members were waiting with a socially distanced vehicle parade.

9. **ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 6:13 PM.

APPROVED:



Milford Ashworth, Mayor

ATTEST:



Janell Sciacca, City Clerk



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**REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, NOVEMBER 18, 2020
5:30 PM (ONLINE VIA WEBEX)**

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Pro Ashworth called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present were Mayor Milford Ashworth, Mayor Pro Tem Tom Litherland, and Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary. Staff present were Interim City Administrator Ray White, City Clerk Janell Sciacca, City Attorney Erin Smith (online), HR & Risk Management Director Carol Stotts, Finance Director Paul Harris and (online), City Planner Alyssa Rivas (online), Chief of Police Bud Bright (online), Public Works Director Steve DiCamillo (online), Parks & Recreation Director Connie Dodrill (online).
4. **PUBLIC COMMENT** – None.
5. **REPORTS**
 - A. City Administrator – White reported it had been a very busy few days dealing with COVID issues. He reported on the reprieve the community received to allow the Casinos to stay open and thanked everyone who helped in the efforts. White tempered the good news stating the City now needed to be preparing to move to RED on the CDPHE COVID dial.
 - B. Finance Director – Harris stated V.3 of the 2021 budget was available online at City website and the Council would see adoption documents on the December 2 agenda. He also reported on County COVID figures obtained at the EOC meeting held earlier in the day: 439 total cases – 275 in Woodland Park, 24 in Cripple Creek, 65 in Divide, 67 in Florissant and 8 in Victor.
6. **PROCLAMATIONS, PRESENTATIONS, UPDATES & OTHER REPORTS**
 - A. Introduction by Teller County Board of Commissioners; Bob Campbell, Erik Stone & Dan Williams, County Commissioners. Postponed due to schedule conflicts.
 - B. 2020 Post Election Legislative Update; Sol Malick, Peak Governmental Affairs, Ltd & City Legislative Liaison. Malick appeared via Webex and provided a brief overview of the November 3, 2020 General Election results stating races went pretty much as expected with the State moving in a more progressive direction. Leadership would be changing in the house while the Senate would remain the same and the big notable was passage of Amendment 77 with over 60% approval. Councilwoman Trenary asked Malick to provide the City updates relative to the state budget. Councilwoman Rozell thanked Malick for helping in the effort to reclassify the Casinos to an indoor event and keep them open. Malick felt the collaboration is how everyone needed to operate in the future communicating more consistently and working together as a team. He ended reporting there would be special session after Thanksgiving to address budget issues and federal stimulus monies and he would be there every day.
 - C. Update Regarding Bronco Billy's Expansion and Redevelopment Plans; Baxter Lee, General Manager. Lee appeared online via Webex along Nick Kaber, Jeff Regester, Owner Dan Lee and Attorney Caitlin Quander. He thanked the Council and City Staff for helping to keep them stay

open. Dan Lee presented stating their team looked carefully at the project and concluded it would be better with more hotel rooms. Councilwoman Rozell questioned if the plan that Lee was going to present was under the existing, approved plan. Lee stated they were not looking for approval at this point and were planning to come back in December for that. City Attorney Smith advised that the City Council would be unable to view the presentation as what appeared to be proposed changes would require the Public Hearing process to be re-done. She added that any presentation that was a deviation from what the Council previously approved would not be appropriate in an formal or informal matter at this time and needed to be presented and discussed with Staff and then Council would consider it in a quasi-judicial hearing. Lee stated the project is still there with some uncertainty and they were trying to figure out how to make it better and would come back and talk to the City when there was a plan. Smith then inquired if the City was expecting an update required under the 1st Amendment to the Development Agreement to see where the developer is on construction. Applicant Attorney Quander stated that Bronco Billy's did commit to provide an update on the project and part of that is potential changes that will come back to Council and they would meet that obligation. Smith directed Council that it was appropriate for them to ask questions about the existing plan and schedule. Baxter Lee provided an update on the parking garage stating Jeff Regester was hired to begin work on it and they were committed to completing the project. Ashworth asked about the timeframe to start on the garage. Lee replied the next step for them was a two and one half month project on storm drain work and Regester would not be able to start on it until January. Regester stated that as soon as they had the ok from Fullhouse they would go ahead and order materials and hopefully get approval from Council on associated changes. Smith advised that in addition to getting Staff involved on the changes the applicant needed to consider involving Staff in the engineering estimate for the drainage work and make sure the City has an adequate Performance Bond in place. Baxter Lee stated he understood and would move forward.

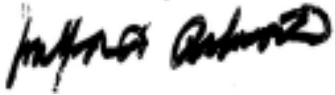
7. NEW BUSINESS

- A. Consider Approval of Resolution 2020-22 Authorizing the Mayor of the City of Cripple Creek to Appoint Members of the City Council to the Position of Council Specialist and Setting Forth the Powers and Duties of Such Council Specialists. Mayor Ashworth announced this item was being tabled due to technical difficulties during a Work Session earlier in the day.
- B. Consider Approval of Resolution No. 2020-24 Adopting Temporary Personnel Policies in Response to the Coronavirus (COVID-19) Public Health Emergency; Carol Stotts, HR & Risk Manager Director. Stotts stated she was seeking approval to memorialize the Council promotes the health of employees and suppression of the COVID disease and she felt confident the City remained healthy having some of these policies in place. There was no public comment. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Trenary to approve Resolution No. 2020-24 Adopting Temporary Personnel Policies in Response to the Coronavirus (COVID-19) Public Health Emergency as presented. Motion carried unanimously.
- C. Consider Approval of Contract to Buy and Sell Real Estate for Sale of Property Legally Described as Lots 57-60 (Inclusive), Block 6 of the First Addition to Cripple Creek (Formerly Fremont) Together with 1/2 of the Adjoining Vacated Alley Appurtenant Thereto; Ray White, Interim City Administrator. White presented stating the City was approach by realtor Reed Grainer on behalf of an individual interested in 4 lots at Second and Warren. Grainer did submit the contract in the packet which included a stipulation that the City requested for the buyer to pay all closing costs. The contract was reviewed by City Attorney Smith and Staff recommended approval. There was no public comment. **MOTION** by Councilwoman Rozell and seconded by Councilman Solomone to approve the Contract to Buy and Sell Real Estate for Sale of Property Legally Described as Lots 57-60 (Inclusive), Block 6 of the First Addition to Cripple Creek (Formerly Fremont) Together

with 1/2 of the Adjoining Vacated Alley Appurtenant Thereto as presented. Motion carried unanimously.

8. **ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 6:02 PM

APPROVED:



Milford Ashworth, Mayor

ATTEST:



Janell Sciacca, City Clerk

UNOFFICIAL



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**REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, DECEMBER 2, 2020
5:30 PM (ONLINE VIA ZOOM)**

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present in Chambers were Mayor Milford Ashworth and Mayor Pro Tem Tom Litherland and present remotely online were Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary. Staff present in Chambers was City Clerk Janell Sciacca and Staff present remotely online were Interim City Administrator Ray White, City Attorney Erin Smith, Finance Director Paul Harris and Chief of Police Bud Bright.
4. **PUBLIC COMMENT** – None.
5. **APPROVAL OF MINUTES**
 - A. October 7, 2020 Regular Meeting – **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Rozell to approve the minutes of the October 7, 2020 Regular Meeting as presented. Motion carried unanimously.
 - B. October 21, 2020 Regular Meeting – **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Rozell to approve the minutes of the October 21, 2020 Regular Meeting as presented. Motion carried unanimously.
6. **REPORTS**
 - A. City Administrator – White reported that a very productive meeting was held with FHR representatives regarding the Bronco Billy's hotel process and Staff hoped to bring the project to Council in January. He added that FHR indicated it was planning on starting the related drainage project in January with completion in 2 months. White also reported that the City had received copies of a resolution and ordinance passed by Blackhawk relative to Amendment #77 and had forwarded them out locally to Casino representatives and Staff for input with hopes of bringing similar documents back to the Council in December.
 - B. Finance Director – Harris provided a COVID-19 update reporting the number of news cases in September was 15, in October was 78 and November grew to 391. There were 31 cases in Cripple Creek as of November 4 or 5% of the total Teller County count.
7. **NEW BUSINESS**
 - A. Consider Approval of Resolution 2020-25 Levying General Property Taxes for the Year 2020, to Help Defray the Cost of Government for the City of Cripple Creek, Colorado for the 2021 Budget Year; Paul Harris, Finance Director. Harris presented reviewing specifics of the resolution to adopt the property tax component of the 2021 Budget. It is at 2.21 mills and will generate \$135,000 in property tax revenue. There were no questions and no public comment. **MOTION** by Councilwoman Rozell and seconded by Mayor Pro Tem Litherland to approve Resolution 2020-25 Levying General Property Taxes for the Year 2020, to Help Defray the Cost of Government for the City of Cripple Creek, Colorado for the 2021 Budget Year as presented. Motion carried unanimously.
 - B. Consider Approval of Resolution 2020-26 Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the City of Cripple Creek, Colorado for the Calendar Year Beginning the First day of January 2021 and Ending on The Last Day of December, 2021; Paul Harris, Finance Director. Harris presented reviewing specifics of the resolution outlining expenditures and revenue. There were no questions and no public comment. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Trenary to approve Resolution 2020-

26 Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the City of Cripple Creek, Colorado for the Calendar Year Beginning the First day of January 2021 and Ending on The Last Day of December, 2021 as presented. Motion carried unanimously.

- C. Consider Approval of Resolution 2020-27 Appropriating Sums of Money to the Various Funds and Spending Agencies in the Amounts for the City of Cripple Creek, Colorado for the 2021 Budget Year; Paul Harris, Finance. Harris presented reviewing specifics of the resolution breaking out expenditures by operating and capital expenses. He added that expenses were limited in 2021 by the reduced number of devices and associated fees generated during 2020. Harris noted the complete budget was available online at the City's website. There were no questions and no public comment. **MOTION** by Councilwoman Rozell and seconded by Councilman Solomone to approve Resolution 2020-27 Appropriating Sums of Money to the Various Funds and Spending Agencies in the Amounts for the City of Cripple Creek, Colorado for the 2021 Budget Year as presented. Motion carried unanimously.

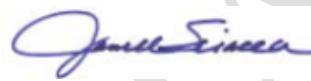
8. **ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 5:45 PM.

APPROVED:



Milford Ashworth, Mayor

ATTEST:



Janell Sciacca, City Clerk




**REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, DECEMBER 2, 2020
5:30 PM (ONLINE VIA ZOOM)**


Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present in Chambers were Mayor Milford Ashworth and Mayor Pro Tem Tom Litherland and present remotely online were Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary. Staff present in Chambers was City Clerk Janell Sciacca and Staff present remotely online were Interim City Administrator Ray White, City Attorney Erin Smith, Finance Director Paul Harris and Chief of Police Bud Bright.
4. **PUBLIC COMMENT** – None.
5. **APPROVAL OF MINUTES**
 - A. October 7, 2020 Regular Meeting – **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Rozell to approve the minutes of the October 7, 2020 Regular Meeting as presented. Motion carried unanimously.
 - B. October 21, 2020 Regular Meeting – **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Rozell to approve the minutes of the October 21, 2020 Regular Meeting as presented. Motion carried unanimously.
6. **REPORTS**
 - A. City Administrator – White reported that a very productive meeting was held with FHR representatives regarding the Bronco Billy's hotel process and Staff hoped to bring the project to Council in January. He added that FHR indicated it was planning on starting the related drainage project in January with completion in 2 months. White also reported that the City had received copies of a resolution and ordinance passed by Blackhawk relative to Amendment #77 and had forwarded them out locally to Casino representatives and Staff for input with hopes of bringing similar documents back to the Council in December.
 - B. Finance Director – Harris provided a COVID-19 update reporting the number of news cases in September was 15, in October was 78 and November grew to 391. There were 31 cases in Cripple Creek as of November 4 or 5% of the total Teller County count.
7. **NEW BUSINESS**
 - A. Consider Approval of Resolution 2020-25 Levying General Property Taxes for the Year 2020, to Help Defray the Cost of Government for the City of Cripple Creek, Colorado for the 2021 Budget Year; Paul Harris, Finance Director. Harris presented reviewing specifics of the resolution to adopt the property tax component of the 2021 Budget. It is at 2.21 mills and will generate \$135,000 in property tax revenue. There were no questions and no public comment. **MOTION** by Councilwoman Rozell and seconded by Mayor Pro Tem Litherland to approve Resolution 2020-25 Levying General Property Taxes for the Year 2020, to Help Defray the Cost of Government for the City of Cripple Creek, Colorado for the 2021 Budget Year as presented. Motion carried unanimously.
 - B. Consider Approval of Resolution 2020-26 Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the City of Cripple Creek, Colorado for the Calendar Year Beginning the First day of January 2021 and Ending on The Last Day of December, 2021; Paul Harris, Finance Director. Harris presented reviewing specifics of the resolution outlining expenditures and revenue. There were no questions and no public comment. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Trenary to approve Resolution 2020-26 Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the City of Cripple Creek, Colorado for the Calendar Year Beginning the First day of January 2021 and Ending on The Last Day of December, 2021 as presented. Motion carried unanimously.
 - C. Consider Approval of Resolution 2020-27 Appropriating Sums of Money to the Various Funds and Spending Agencies in the Amounts for the City of Cripple Creek, Colorado for the 2021 Budget Year; Paul Harris, Finance. Harris presented reviewing specifics of the resolution breaking out expenditures by operating and capital expenses. He added that expenses were limited in 2021 by the reduced number of devices and associated fees generated during 2020. Harris noted the complete budget was available online at the City's website. There were no questions and no public comment. **MOTION** by Councilwoman Rozell and seconded by Councilman Solomone to approve Resolution 2020-27 Appropriating Sums of Money to the Various Funds and Spending Agencies in the Amounts for the City of Cripple Creek, Colorado for the 2021 Budget Year as presented. Motion carried unanimously.
8. **ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Ashworth adjourned the meeting at 5:45 PM.

APPROVED:


Milford Ashworth, Mayor

ATTEST:


Janell Sciacca, City Clerk



REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, DECEMBER 16, 2020
5:30 PM (ONLINE VIA ZOOM)

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

1. **CALL TO ORDER** – Mayor Ashworth called the meeting to order at 5:30 PM having previously been posted in accordance with Colorado Open Records Law.
2. **PLEDGE OF ALLEGIANCE** – Mayor Ashworth led the Pledge of Allegiance.
3. **ROLL CALL** – City Clerk Sciacca called the roll. Present in Chambers were Mayor Milford Ashworth and Mayor Pro Tem Tom Litherland and present remotely online were Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary. Staff present in Chambers was City Clerk Janell Sciacca and Staff present remotely online were Interim City Administrator Ray White, City Attorney Erin Smith, Finance Director Paul Harris, Public Works Director Steve DiCamillo, HR & Risk Management Director Carol Stotts, Dispatch Supervisor Diann Pritchard and Chief of Police Bud Bright.
4. **PUBLIC COMMENT** – None.
5. **CONSENT CALENDAR – APPROVAL OF MINUTES**
 - A. November 4, 2020 Regular Meeting
 - B. November 18, 2020 Regular Meeting

MOTION by Mayor Pro Tem Litherland and seconded by Mayor Ashworth to approve the minutes of the November 4, 2020 and November 18, 2020 Regular Meetings as presented. Motion carried unanimously.
6. **REPORTS**
 - A. City Administrator – White announced that longstanding employee Bill Martin from the Events Dept. resigned effective December 31; City Clerk Sciacca was working on AV system updates and for January; the Fire Department Rescue Truck ordered last year was nearly complete and a Firefighter would inspect the vehicle in Texas prior to acceptance of delivery; HR & Risk Management Technician Hildebrand had obtained and issued masks to City employees; and the City and County met with the State earlier in the day and the County would be staying at COVID Dial Level Orange for another week. Mayor Pro Tem Litherland thanked the Cripple Creek-Victor Gold Mining Company for its generous contribution toward the Fire Truck and White added there would be publicity and recognition for everyone who made the acquisition possible once on-site.
 - B. Finance Director – Harris echoed White's positive news on the County remaining at Level Orange; He shared that his weekly report regarding COVID was being posted on the City's website for access by the community; As of earlier in the day the City COVID count went up to 49 cases an increase of 11 cases since December 8 and there were 2 additional deaths in the County. Harris extended condolences to the affected families on behalf of the City.
7. **PROCLAMATIONS, PRESENTATIONS, UPDATES & OTHER REPORTS**
 - A. Newmont Cripple Creek & Victor Gold Mining Company Quarterly Update; Melissa Harmon, General Manager. Harmon introduced herself and Newmont representatives in attendance online with her – Katie Blake, Brad Poulson, and Penny Riley. Harmon and Staff reviewed a PowerPoint Presentation detailing: Newmont Values Beyond the Mine Sustainability Report, a COVID update including the death of an 18 year veteran employee and their contributions of \$750,000 in community support, a Business Update on permitting and exploration as well as Mine Life through 2027, full compliance Cyanide Management Code Recertification received in December, the Amendment 13 Permit Application for expansion of the VLF2 to allow for an additional 107 million tons of leach material and mining/processing after 2024, Economic Impacts of funds paid in taxes and jobs supported, and Social Standards including local procurement and employment and cultural resource management. Mayor Pro Tem Litherland inquired what Newmont CC&V's production was for 2020. Harmon replied they were estimating to finish the year at 271 ounces. Litherland then asked what percentage that was of global production. Harmon believe it to be about 4%. She thanked the Council for allowing them to present and encouraged anyone with questions to reach out to her or other Newmont Staff. The Council thanked Harmon and her Staff for the interesting and informative update.
8. **NEW BUSINESS**
 - A. Consider Approval of One-Year Lease with Edge Wellness and Rehabilitation for Office Space at the Medical Plaza; Paul Harris, Finance Director. Harris presented reviewing the lease specifics of \$500/month with Edge Wellness and Rehabilitation, a long-time tenant of the City's Medical Plaza. There were no questions by Council and there was no public comment. **MOTION** by Mayor Pro Tem Litherland

and seconded by Councilwoman Rozell to approve a One-Year Lease with Edge Wellness and Rehabilitation for Office Space at the Medical Plaza as presented. Motion carried unanimously.

- B. Consider Approval of Colorado Department of Transportation TAP Grant Funding Contract For Design and Construction of Sidewalk, Curb and Gutter on the North Side of Galena, West Side of Crystal and West Side of Prospect; Steve DiCamillo, Public Works Director. DiCamillo presented stating this project was started in 2018 when the City received an 80/20 \$118,000 grant for design. Costs ended up being \$31,000 with a City match of \$6,222. DiCamillo referenced Exhibit C-3, Page 1 of 3, and reviewed the numbers for the Council and viewing public. He reported that the City confirmed in a meeting yesterday with CDOT that as long as it can stay at or under budget, the City's out of pocket expense will remain at \$6,222. He hoped to have official notice shortly and be able to go to bid in January. Mayor Pro Tem Litherland inquired if the bid would include all the drainage and storm sewer costs. DiCamillo replied those improvements would tie into existing infrastructure. Councilwoman Trenary inquired if the match of \$6,222 was included in the City's budget. Finance Director Harris replied that the grant was not included in the 2021 Budget so he would complete a supplemental budget agreement later in the year. There was no public comment. **MOTION** by Councilwoman Rozell and seconded by Councilwoman Trenary to approve the Colorado Department of Transportation TAP Grant Funding Contract For Design and Construction of Sidewalk, Curb and Gutter on the North Side of Galena, West Side of Crystal and West Side of Prospect as presented. Motion carried unanimously.
- C. Consider Approval of Resolution 2020-22 Authorizing the Mayor of the City of Cripple Creek to Appoint Members of the City Council to the Position of Council Specialist and Setting Forth the Powers and Duties of Such Council Specialists; Milford Ashworth, Mayor. Ashworth reported a Work Session took place earlier in the day with Council and Staff discussing and having input on the proposed resolution. There were no questions by Council and there was no public comment. **MOTION** by Councilwoman Rozell and seconded by Councilwoman Trenary to approve Resolution 2020-22 Authorizing the Mayor of the City of Cripple Creek to Appoint Members of the City Council to the Position of Council Specialist and Setting Forth the Powers and Duties of Such Council Specialists with section 2. amended to read "City Council Specialists shall be appointed from the membership of the City Council, after an opportunity for discussion by the Council at a public meeting, by the Mayor and shall serve at the pleasure of the Mayor." Motion carried unanimously.
- D. Consider Approval of Resolution 2020-28 Recognizing 911 Dispatchers as First Responders; Diann Pritchard, Dispatch Supervisor. Pritchard presented highlighting information from the packet materials. She stated the overall goal was to recognize the duties performed in order to increase employee morale and there was no economic impact to the City. There were no questions by Council and there was no public comment. Councilwoman Trenary commended Pritchard and the rest of the Dispatch Staff for doing such a fabulous job. She added she was very proud of the City Dispatch Center. Councilwoman Rozell thanked Pritchard for putting the resolution together and Firefighter Pedersen for recommending the recognition. She also reported that Dispatcher Tammi Lowell was recognized in a recent article for going above and beyond marrying an out-of-town couple when they were not able to find anyone else which was just another example of all the wonderful things the Dispatchers do. **MOTION** by Mayor Ashworth and seconded by Mayor Pro Tem Litherland to approve Resolution 2020-28 Recognizing 911 Dispatchers as First Responders as presented. Motion carried unanimously.
- E. Consider approval of Resolution 2020-29 Amending the Personnel Policies and Procedures Manual for the City of Cripple Creek to Amend Sick Leave; Carol Stotts, HR & Risk Management Director. Stotts presented reviewing the Staff Report and recommend approval. Councilwoman Trenary inquired about the fiscal impact. Harris replied he didn't believe it would be significant and could be absorbed out of contingency. There was no public comment. **MOTION** by Mayor Pro Tem Litherland and seconded by Councilwoman Trenary to approve Resolution 2020-29 Amending the Personnel Policies and Procedures Manual for the City of Cripple Creek to Amend Sick Leave as presented. Motion carried unanimously.
- F. Consider Approval Resolution 2020-30 Approving A Community Development Block Grant Agreement Between Community of Caring Foundation and the City of Cripple Creek and a Promissory Note; Jeff Mosher, Marketing & Events Director. Mosher was not able to be present due to hosting Toys for Tots. City Attorney Smith reported the agreement was required so that when the City received the \$518,000 grant funds Community of Caring would be obligated to remodel the building at 100 W. Bennett and comply with all the requirements of the DOLA grant agreement. It also requires Community of Caring use the building for 5 years following completion for the services described therein and protects the City with a Promissory Note to pay back the City should there be a breach by Community of Caring. City Administrator White added there was no anticipated budget impact for the City and recommended approval of the resolution and promissory note as presented. There were no questions by Council and there was no public comment. **MOTION** by Mayor Ashworth and seconded by Councilwoman Rozell to approve Resolution 2020-30 Approving A Community Development Block Grant Agreement Between


Community of Caring Foundation and the City of Cripple Creek and a Promissory Note as presented. Motion carried unanimously.

- G. **FIRST READING** of Ordinance 2020-07 Amending Chapter 1 of the Cripple Creek Municipal Code by Adding a New Article 8 Regarding Limited Gaming to Implement the Statewide and Local Voter Approval of Amendment 77; Ray White, Interim City Administrator. White reported Ordinance 2020-07 implements Amendment #77 with amendments to the Municipal Code to raise the maximum bet limit from \$100 to an unlimited amount for a single bet and also allow the Council to approve, by resolution, additional games as approved by the State of Colorado. Blackhawk and Central City adopted a similar ordinance and local Casino owners and the Casino Owners Association provided input on the games to be included. He added that the Amendment takes effect May 1, 2021 and the City is hoping to stay ahead of the game and maximize benefits when it does take effect. Councilwoman Rozell clarified a separate resolution would be coming to Council for consideration to approve the additional games. White replied that was correct and the list was fairly extensive. There was no public comment. **MOTION** by Councilwoman Rozell and seconded by Councilwoman Trenary to approve Ordinance 2020-07 Amending Chapter 1 of the Cripple Creek Municipal Code by Adding a New Article 8 Regarding Limited Gaming to Implement the Statewide and Local Voter Approval of Amendment 77 as presented on First Reading. Motion carried unanimously.
- H. Consider Approval of Appointment of Associate / Backup Municipal Court Judge(s); Janell Sciacca, City Clerk. Sciacca presented reviewing the Staff Report and recommended appointment of Jason Berns and Joseph Dirscherl as back up / associate Judges for the Cripple Creek Municipal Court for the calendar year 2021. She read a short statement from Presiding Judge Colt who endorsed both applicants without reservation. There were no questions by Council and there was no public comment. **MOTION** by Mayor Pro Tem Litherland and seconded by Mayor Ashworth to appoint Jason Berns and Joseph Dirscherl as back up / associate Judges for the Cripple Creek Municipal Court as recommended. Motion carried unanimously.
9. **ADJOURNMENT** – There being no further business before the Cripple Creek City Council, Mayor Ashworth wished everyone viewing online a Merry Christmas, Happy New Year and good health and then adjourned the meeting at 6:30 PM.

APPROVED:

ATTEST:


Milford Ashworth, Mayor


Janell Sciacca, City Clerk



Real Fun. Real Colorado.

**REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, DECEMBER 16, 2020
5:30 PM (ONLINE VIA ZOOM)**

Location: Council Chambers, City Hall, 337 E. Bennett Avenue, Cripple Creek, Colorado 80813

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3. **ROLL CALL** – City Clerk Sciacca called the roll. Present in Chambers were Mayor Milford Ashworth and Mayor Pro Tem Tom Litherland and present remotely online were Councilmembers Meghan Rozell, Charles Solomone and Melissa Trenary. Staff present in Chambers was City Clerk Janell Sciacca and Staff present remotely online were Interim City Administrator Ray White, City Attorney Erin Smith, Finance Director Paul Harris, Public Works Director Steve DiCamillo, HR & Risk Management Director Carol Stotts, Dispatch Supervisor Diann Pritchard and Chief of Police Bud Bright.
4. **PUBLIC COMMENT** – None.
5. **CONSENT CALENDAR – APPROVAL OF MINUTES**
 - A. November 4, 2020 Regular Meeting
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APPROVED:
Milford Ashworth, Mayor

ATTEST:
Janell Sciacca, City Clerk